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REPORT

ON

CANADIAN ARCHIVES

BY

DOUGLAS BRYMNER

ARCHIVIST.

1890.

(Being an Appendix to Report of the Minister of Agriculture.

OTTAWA:

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REPORT ON CANADIAN ARCHIVES.

DOUGLAS BRYMNER, ARCHIVIST.

Honourable JOHN CARLING,

Minister of Agriculture,

&c., &c., &c.

SIR,—I have the honour to present the report on Archives for 1890.

The work of making transcripts of the State Papers deposited in the Public Record Office, London, continues. These are carefully compared previous to being bound in London and are again compared on being received here, so as to secure the most absolute correctness. Besides those calendared in this report, there are now on the shelves to this date, documents relating to the two Provinces, from the period of their formation into Lower and Upper Canada, extending in the case of the former to 1817, covering the period of the administration of General Alured Clarke to that of Sir J. Cope Sherbrooke, and of the latter to 1823, which includes the governorship of Simcoe to that of Sir Peregrine Maitland. The documents show the organization of the Provinces, including the early legislation, and in the papers are to be found correspondence, reports and other documents, relating, in both Provinces, to the War of 1812–15, which, with the original papers previously here, will supply information respecting the events of that period, which cannot be obtained elsewhere. The same remark applies to Indian affairs, the additional correspondence in the transcripts supplementing the information contained in the original documents already in the Archives.

The papers relating to the titles of lands in Lower Canada, deposited in the Registrar's office in Quebec, have been copied in full. A very complete index to the contents of each volume has been made, and abstracts of the titles presented at the time of taking the oath of fealty, recorded in the *Actes de foy et hommage*, have been prepared by Mr. Marmette, Assistant Archivist. The abstracts were published in the reports for the years 1884 and 1885. By referring to these reports much correspondence would be saved, as questions are asked relating to the changes in proprietorship of seigniories, to which an answer can be found by turning to the abstracts, arranged alphabetically. The index to each volume is at the end of the volume to which it refers, and is at once available for reference in the Archives rooms.

The publications of the Historical Manuscripts Commission (England) are received as issued. This Commission has unearthed most important collections of documents which have been preserved in the muniment rooms of old families, but had continued useless, their contents being unknown. There are now twelve reports published, with a varying number of appendices, each appendix containing a calendar of documents reported on during the year covered by the report. The publications of the Public Record Office, London, are also regularly received, as are the reports of the Deputy Keeper of Records (England).

An interesting *MS* Orderly book, kept by Captain Jacques Viger, during the War of 1812, has been presented by the Reverend Father Jones, of St. Mary's Jesuit College, Montreal. Mr. Ernest Marceau has contributed an important collection of manuscripts relating to the construction of the Ottawa canals, containing the progress reports, and surveys on proposed changes and modifications of the system. Dr. Robert Bell, of the Geological Survey, has presented a collection of certificates of marriages celebrated by the Rev. Andrew Bell, whilst Minister of Dundas and Ancaster, from 1848 to 1851 and from 1854 to 1856, whilst Minister at L'Orignal, to which place he had removed in 1852. The Provincial Governments have, as usual, sent the official publications relating to the individual Provinces, and in addition the Provincial Secretary has sent valuable historical publications relating to the Province of Quebec. Other contributions will be found acknowledged in the list at page xliv.

The ordinary work of indexing and preparing the documents for reference is carried on systematically. The utmost economy is exercised in the expenditure of the amount appropriated by Parliament for the prosecution of the work connected with the Archives. I beg, however, to request your consideration of the propriety of increasing the amount to provide for the carrying out of the objects of the branch, so that a suitable sum may be set aside for obtaining transcripts of the documents in Paris, reported on by Mr. Marmette, in order that that work may be prosecuted as earnestly as its importance demands.

The calendar of State Papers forming part of this report, covers the period from 1760 down to the division of the Province into Lower and Upper Canada by the Imperial Act of 1791. The last volumes of the series (from Q–55) consist of miscellaneous papers of various dates, from 1762 down to 1800, gathered together to complete the information relative to the old Province of Quebec. The royal instructions to Murray 1763 and Carleton 1775, are in volume Q-62—A1.

The following brief summary of the information contained in the volumes calendared may be useful. The statements in the summary are, it is scarcely necessary to say, drawn from the documents themselves.

The state of distress to which the French Canadian inhabitants were reduced, as shown by the correspondence, was such as to render relief in some form necessary, and in 1761 the sum of £600 was raised by subscription of the merchants and others, and each soldier in the regular army gave one day's provisions monthly to relieve the immediate distress. Amherst wrote from New York in February, 1761, that supplies would be sent as soon as the river opened, and also that the upper country would be able to assist the lower. (A. & W. I., vol. 96, p. 223.) To provide more permanent relief, however, and to give the inhabitants an opportunity of retrieving their fortunes, General Murray recommended that advances of money should be made to the industrious, so that they might be enabled to resume business. Much of the distress had apparently arisen from the non-payment of the obligations incurred by the French Government, settled for in paper money, of which large amounts were outstanding at the time of the capitulation by Vaudreuil, and which remained unpaid for several years. The correspondence shows the efforts made by the British Government not only to obtain payment for the new subjects from the Court of France, but also to warn them from disposing of their paper money at a low price to jobbers and speculators.

A comparatively large proportion of the correspondence relates to Indian affairs; but the Indian war, led by Pontiac, is only hinted at in this correspondence, and that on account of a force of Canadian Militia being raised to co-operate with the forces to the southward, there being peace with the Indians in the Province of Quebec. Numerous details of the Pontiac war will be found in the calendar of the Bouquet Papers, published in the report on Archives for 1889.

Scattered throughout the volumes are documents of a most important character relating to ecclesiastical affairs; the selection of Bishops; the admission of priests from Europe; the claims on the Jesuit Estates. In the series of volumes beginning at 50—A and continuing to 50—H, there is a complete report on the property of the Jesuits, the result of an investigation arising out of the grant of the estates to Lord Amherst, the first Governor of Canada after the conquest.

General Murray, who was Lieutenant Governor at Quebec, had by no means an enviable position. It is clear, from the correspondence, that from the beginning he and the new settlers, the old subjects as they were called, were at almost complete variance. How far Murray's sweeping charges against them are strictly true is, from this consideration, open to doubt. The charges made by them against Murray, and which led to his recall, are as bitter against him as his were against them, and the probability is that allowance must be made on both sides for exaggerations arising from a heated state of feeling. But this, taken with the addresses to Murray by the seigniors and leading men among the French Canadians, and the memorial by them to the King for his restoration to office, contradict, to a considerable extent, the charges of injustice towards the French inhabitants under the military regime which continued from 1760 to 1764, during which General Murray maintained an active supervision in the Government of Quebec over the proceedings of the military courts, and Gage had joined to them in the government of Montreal a certain number of the French Canadian captains of militia, who shared in the administration of justice in the five districts and city into which the government of Montreal was divided. In these courts sittings were held every fortnight, at which civil cases were decided according to the laws and customs of the country. General Gage, in writing to General Amherst in 1762, says:—"I feel the highest satisfaction that I am able to "inform you that during my command in this government I have made it my con- "stant care and attention that the Canadians should be treated agreeable to His "Majesty's kind and humane intentions. No invasion on the properties or insult on "their persons has gone unpunished. All reproaches on their subjection by the fate "of arms, revilings on their customs or country, and all reflections on their religion "have been discountenanced and forbid. No distinction has been made between the "Briton and Canadian, but equally regarded as subjects of the same Prince. The "soldiers live peaceably with the inhabitants and they reciprocally acquire an "affection for each other. I have, notwithstanding, made known His Majesty's "pleasure on these particulars to the several commanders of corps, that every "individual may be acquainted therewith, which will, no doubt, add the greatest "weight to the orders and directions which have been already given. And you may "be assured that troops who have ever shown the most ardent desire to advance the "interest of their Sovereign, and paid the most exact obedience to his commands will "vie with each other in brotherly love and affection to the Canadians over whom "His Majesty has extended his royal favour and protection."

A feeling of hostility, however, existed on the part of a portion of the British settlers towards the French Canadians, and much discontent was shown at what they considered undue partiality towards the new subjects. The establishment of Civil Government, with the extensive powers given to the justices of the peace, seemed to afford an opportunity to indulge this feeling. There was great jealousy and dislike, too, between the military and civil magistrates, which found vent in the attack on Thomas Walker, details of which and of the subsequent proceedings are to be found in the correspondence. A sketch of this affair was published in the report on Archives for 1888, beginning at page xi, with documents at Note A of the same eport.

In 1765, Murray was recalled, but did not leave till June of the following year, the duties from that time till the arrival of Sir Guy Carleton in September, being discharged by Lt. Colonel Irving as administrator. In the report on Archives for 1888, at Note B, are the memorials of the Quebec traders, supported by the merchants of London, for Murray's recall, with the counter memorial from the seigniors of Quebec for his retention in the office of Governor. In the former he is charged with enacting vexatious, oppressive and unconstitutional ordinances, with refusing to listen to remonstrances against them, and with treating petitioners with "rage and rudeness of demeanour," and as a climax apparently:

"His further adding to this by the most flagrant partialities, by fomenting parties "and taking measures to keep Your Majesty's old and new subjects divided from one "another by encouraging the latter to apply for judges of their own national "language."

The seigniors, on the other hand, in their memorial for General Murray's continuance as governor, spoke of his generosity, and that of his officers; of his affability; of the justice of the military courts which he established, and of the tranquillity they enjoyed until the establishment of civil government, and add:

"We supplicate you, if you will cast your looks on us, to accede to our wishes to "retain Mr. Murray as head of this Province, which his valour preserved to you, and "who by his generosity and mildness has attached the people to him, and to send him "back to us.*

The state of uncertainty respecting the administration of justice continued after Sir Guy Carleton had assumed the government. At Note A will be found documents showing the complaints; further remarks on that subject are deferred till the documents in the note are considered.

Sir Guy Carleton had scarcely taken office when he became involved in a dispute with the Legislative Councillors respecting his right to select advisers from the Council, instead of consulting the whole body. It was apparently a design on the part of the new governor to form a privy council, and a determination on the part of the members that all should be placed on an equal footing. The remonstrance was treated by Carleton with a high hand; he declined to be dictated to respecting the men whom he should consult in matters regarding which the consent of the Council was not necessary, and declared that not only would he consult such members of the Council as he thought fit, but also such persons not of the Council as he found to be men of good sense and not swayed by party passions.

* Nous la supplions si elle veut bien jettes les yeux sur nous de le rendre à nos vœux, de le conserver gouverneur en chef de cette Province, que sa valeur lui à conservé et dont sa generosité et sa douceur lui ont attaché les peuplades et de nous le renvoyer.

Much of Carleton's time was occupied in trying to bring into order and system the laws of the Province, regarding which there were disputes from the beginning of civil government. One of his earliest acts was the issue of a proclamation announcing that he had relinquished all the fees and perquisites that had previously been exacted by the Governors. Writing to the Chancellor of the Exchequer, he says that besides the general principles that lead him as Governor General to refuse what a private gentleman ought to decline, there are special reasons applying to Canada which enforce this sentiment, adding that there is a certain appearance of dirt, a sort of meanness in exacting fees on every occasion. The proclamation did away with all the fees payable to the governor, except those for liquor licenses, it being announced that the latter "shall not be appropriated to his private use, but shall be "paid into the hands of the Receiver General of His Majesty's revenue in this Pro- "vince, and considered as a part of the revenue and accounted for accordingly." He recommended also, as a measure for the good of the people, that this tax should be largely increased and that the proceeds should be used for the relief of distress, the relief to be given in the King's name, and not as the private charity of a governor. It will be seen by the correspondence that this action of Sir Guy Carleton was taken by General Murray as a personl reflection on his conduct.

In December of 1767, some progress had been made in preparing a summary of the laws of Canada as they existed previous to the establishment of civil government in 1764, and in a letter by Carleton of the 24th December of that year, he called attention to the confusion in the administration of the law by the different courts, the great delay and expense as compared with former immediate and inexpensive decisions; advised the repeal of the Ordinance of 1764, leaving the Canadian laws almost entire; the appointment of a resident Judge with a Canadian assistant; and sent the draught of an Ordinance on the subject which he had prepared but not submitted to the Council. In the following January (1768), he suggested the addition of Canadian members to the Council, the raising of a Canadian Corps, and the bestowal on the French Canadians of offices in the King's service. The old subjects were moving to obtain a House of Assembly, but he could not induce them to lay down any laws for its guidance or scope. In March, it was officially notified to him that the proposed Ordinance had been approved of by His Majesty.

The British Ministry were engaged in framing a bill for the government of Quebec, which did not, however, become law till 1774, and Carleton continued to urge the admission of French Canadians to the Council and to other offices, the justice of which was admitted, but it was feared that faction and prejudice would prevent their employment in the military line, although there were great advantages in their being so employed.

In the summer of 1770, Carleton left for London, and H. T. Cramahé, lieutenant governor, administered the government of the Province during his absence. As might have been expected from the restricted powers of the lieutenant governor, no change in the administration of affairs was made during his administration, but the agitation for a House of Assembly still continued, and Francis Maseres, the late Attorney General, acted as agent in London for the promoters of this movement, although he advised them to confine their efforts for a few years to obtaining a Legislative Council, consisting only of Protestants, not removable by the Governor, but only by the King-in-Council. The correspondence gives no details of the pro-

ceedings in relation to the Act of 1774, the presence of Carleton in London rendering it unnecessary, as he was in personal consultation with the Ministry on the subject.

For the debates on the Bill of 1774, see report by Sir Henry Cavendish. Compare also the "Account of the proceedings.....to obtain a House of Assembly," 1775, and "Additional Papers," 1776, both by Baron Maseres.

On the return of Carleton to Quebec on the 18th September, 1774, he found the Canadians impressed with the strongest sense of the liberality of the Act, but received at the same time a requisition from General Gage at Boston, for troops required to preserve order in his Province. In his letter, Gage stated that he looked forward to the worst, from the apparent disposition of the people and suggested raising a body of troops in Canada for service in Massachusetts. During the winter, meetings were called by the agitators for a House of Assembly, which the "discreet people" declined to attend, and which were regarded with much uneasiness by the French Canadians. In the meantime the revolt in New England was assuming large proportions, messengers and others leaving Boston, going or suspected to be going to Quebec, were searched in order that letters passing between Gage and Carleton might be intercepted. The Continental Congress met at Philadelphia and entered into correspondence with the "natural born subjects" in Canada, some of whom were trying to stir up the Canadians to hostility against Government and had the letter sent by the Congress translated, printed and circulated among the French Canadians. In addition emissaries were sent from New England with the same object in view; they boasted of their success and threatened that 50,000 men would be sent against Canada, who would destroy it with fire and sword should the Canadians oppose the other Colonies, or refuse to co-operate with them. In the spring of 1775, the almost empty forts on Lake Champlain were taken by the rebels, Benedict Arnold having surprised Fort St. John's, occupied by a detachment consisting of a sergeant and ten men, Ticonderoga and the other posts being in an equally defenceless situation. But for the treachery of a merchant in Montreal, named Bindon, the rebel forces would have been cut off, but, owing to the warning sent by this person, they retreated and escaped. The Province was in the greatest confusion; there were not 600 men in its whole extent to defend it; the minds of the people too were, Carleton wrote, poisoned with lies, disseminated by enemies and by the friends of the other Provinces, and the British Americans were full of sedition. The course of events may be traced in the calendar of the correspondence, in the Series Q, and of a large portion of the Series B, the latter of which has been calendared in previous reports. These include the rapid occupation of the Province by the rebels, the escape of Carleton to Quebec; the siege; the death of Montgomery; the recovery of the Province in 1776; Burgoyne's expedition in 1777 and capitulation; the quarrel of Carleton with Germain and his resignation; the administration of Haldimand; the conclusion of peace and settlement of the Loyalists; the dissatisfaction of the Indians at the terms of the treaty of 1783, with reports of many of their Councils. (The correspondence and other documents relating to this period are in Volumes 11 to 24 Series Q; a summary is given in the calendar).

After the peace of 1783, the North-West Company and other Indian traders were anxiously employed in securing a new communication for their trade with the North-West, which they feared would be interrupted in consequence of the bounda-

ries settled by the treaty. Some information on this subject is given in the introductory remarks to Note C, under the title of "North-Western Explorations."

On the recall of Haldimand, the civil and military functions of the government were divided, Lieut.-Governor Hamilton administering the one and Brigadier General St. Leger the other.

Under Hamilton the people of Vermont continued to press for commercial privileges, including the liberty to dispose of their produce in Canada and to export the same from Quebec. Subsequent correspondence on the part of the Allens, respecting the reunion of Vermont and the manner in which, according to Levi Allen, the resolution was carried in the Legislature of Vermont to join the United States, should be read in connection with the documents respecting the negotiations between Vermont and General Haldimand in Series B, a summary of which is in the calendar of that series already published.

Improvements in the navigation of the St. Lawrence were during the government of Hamilton urged by the merchants, and the agitation was still continued for a House of Assembly; there was besides a spirit of discontent stirred up among the French Canadians owing to what Colonel Hope considered the ill-judged conduct of the Lieutenant-Governor. (Hope's letter is in Vol. Q. 24–2, p. 386, and an extract of an answer which he published to a memorial respecting *corvées*, &c., is at p. 365.) Added to this were petitions by the seigniors and others against any change in the system of government in the Province. Whatever was the cause, whether it was on account of Hamilton's weakness or otherwise, the Province was in a state of restless uneasiness, and Colonel Hope, Quartermaster General, between whom and Hamilton there was a serious divergence of opinion, communicated freely his views as to the conduct and proceedings of the latter, who was recalled by a letter from Lord Sydney, dated the 13th August, 1785, which in the briefest terms said the King had no further need of his services as Lieutenant-Governor, that Colonel Hope was to succeed him, adding: "It gives me great concern to write to you upon a subject "that must of course be disagreeable to you." On the 20th, Hope was informed of his appointment and urged to use every effort to put a stop to party spirit. On the 2nd November, the day on which Hamilton sailed, Hope was sworn in and immediately sent to Lord Sydney an account of the state of political feeling in the Province, suggesting that the four general officers who had been in command of the Province (Gage, Murray, Carleton and Haldimand) all then in London, should be consulted as to the best system to be adopted for the preservation of the country. Many of the documents in the volumes respecting Hope's administration relate to the leasing of the King's posts and to claims made by the old upon the new lessees; others relate to the disease known as the St. Paul's Bay disorder; others, a large proportion, to Indian affairs. Some heated discussions took place in the Council on the subject of the accounts, but so far as the correspondence shows, the heats and controversies in the Province had subsided.

Sir Guy Carleton, now Lord Dorchester, having been raised to the peerage, resumed the office of Governor but with enlarged powers. He landed at Quebec on the 23rd of November, 1786, and received addresses, which, he says, contained very proper expressions of loyalty, and in an unofficial letter to Mr. Nepean he stated that everything had the appearance of good humour and that there was some good sense in the addresses. Much doubt still existed as to the system of laws which

should prevail, there being serious differences in their decisions among the courts, judgments in the Courts of Common Pleas being reversed on appeal, on grounds which lay at the very foundation of the system to be adopted. The situation is expressed very clearly by Lord Dorchester in a dispatch to Lord Sydney of the 13th June, 1787 (No. 17). He says: "Two parties have subsisted in this Province ever "since the civil law was introduced in sixty-four, the one zealous for English laws "and for an Assembly, the other not less anxious to preserve the present form of "government with the ancient laws, customs and usages of the country." He then laments the unfortunate time at which the Act of 1774 was introduced, when nothing could be thought of but self defence, and the absence of a law officer of the Crown who might have introduced such wise laws as would have satisfied both parties.

The addresses of the Loyalists in the new settlements above Montreal expressed the hope that they might have the same advantages as other settlers in North America, which Mr. De Lancy, their superintendent, explained to refer to the tenure of the land. The existing tenure Lord Dorchester himself acknowledged to be hard, and the fact of the representation, taken with the acknowledgment, is significant, as it is scarcely doubtful that the difference in tenure was one of the causes which led to the division of the Province, a measure to which Lord Dorchester expressed his dissent, when the time came for its consideration. In respect to the land question, the Governor held very decided opinions. On the question of granting a House of Assembly, involving a change in the Constitution, he counselled delay, his own view as to the plan to be adopted being as yet unformed, but his opinion was that a change of tenure from the feudal to that known as free and common soccage, so far as the loyalists were concerned, was a necessity to meet their wishes and their deep rooted convictions. At the same time he desired to check the abuse of large tracts of land being held by individuals to the detriment of settlement, by retaining the quit rent of thirty pence for each 100 acres on all holdings of upwards of 1,000 acres, the proceeds to be appropriated for the uses of the Provincial Government. That on holdings of and below that acreage he proposed should be altogether remitted. (See Dorchester's letter to Sydney of 13th June, 1787 (No. 18) in Vol. Q. 27-2, p. 983, and petition from the loyalists at page 989.)

In the course of the year 1787, in compliance with an address and petition, an inquiry was ordered into charges relative to the courts of justice and to the conduct of judges of the Court of Common Pleas. The proceedings, which are very voluminous, are given in full in six volumes, the contents of which (Q 29 to 34) are briefly summarised in the calendar.

Unofficial communications by Major George Beckwith with the United States Government, in relation to various matters in dispute between Great Britain and that Government are in Note E. Any remarks relative to the correspondence and to other documents forming part of that note will be more conveniently discussed when the subject of "Relations with the United States after the Peace of 1783" is dealt with.

The same remark applies to the papers included in Note B, "The Constitutional Act of 1791."

In June, 1789, Lieutenant Governor Hope died, and the post was offered to Colonel Carleton, then Lieutenant Governor of New Brunswick, and on his declining, Colonel Clarke was to be offered the appointment, his conduct in Jamaica hav-

ing recommended him to the office. It was not, however, till August of the following year that he received the appointment and he did not reach Quebec till the 7th of October following.

It would be impossible within any reasonable space to enter into a consideration, however closely it might be condensed, of the remaining documents. For information respecting these reference must be made to the calendar. It may be sufficient to call attention to the Minutes of Council on State affairs and on the waste lands of the Crown, and to those on Indian transactions, the documents under these heads being scattered throughout the volumes; attention has already been called to the papers respecting the Jesuit Estates. An examination of the calendar will show other subjects of importance, such as the proposals for raising the militia, questions relating to the fisheries, commercial matters, &c., all the documents being fully summarised there. It seems, however, desirable to give a further sketch explanatory of the documents published in the accompanying notes.

In Note A is a correspondence and the deliberations of the Council on the administration of justice in the rural districts, after the establishment of Civil Government in Canada. The existence of the Military Courts for the settlement of disputes and for the adjudication of cases has been already mentioned. These were confessedly only temporary in their nature, and the British Government in sanctioning their establishment did so with the distinct proviso that they should cease as soon as peace was definitely settled and give place to courts regularly constituted by the Civil Government. The proceedings of the new courts were not such as to prove satisfactory; on this point it is not necessary to multiply examples, but the cause of this may be traced to the men who were entrusted with the execution of the law, who according to Sir Guy Carleton, in the letter to Lord Hillsborough, published in Note A., were bankrupt traders desirous of making a living out of the office of Justice of the Peace, the men who were prospering in business declining to give up their time to attend the Magistrate's courts for the purpose of administering justice. Not satisfied with extorting excessive fees from the litigants who of their own accord resorted to their courts, they had a low class of bailiffs in their service who provoked and instigated law suits among the inhabitants for the smallest and most trifling amounts.

That instant action was taken by Sir Guy Carleton on receipt of the complaint by the ex-captain of militia (Note A, p. 2), is evidenced not only by the report of the Committee of Council on the subject, prepared at the meetings held on the 29th August and 11th September, 1769 (Note A, p. 6), but even more strongly by the preparation of a circular letter to the magistrates, drawn up on the 10th July, immediately after the receipt of the letter referred to, which was dated at Yamaska the 3rd of July, and must have taken at least two days to reach Quebec, even if the messenger had left at once.

The circular prepared by a Committee of the Council was addressed "To the Justices of the Peace, acting in and for the district of Montreal," and may with advantage be given in full, to be read in connection with the documents printed in Note A.:—

GENTLEMEN,—In obedience to an Order of Council bearing date the 10th instant, I transmit to you the sentiments of Government upon some points relative

to the execution of your authority as Justices of the Peace, in which it appears to them from facts too notorious to be disputed, that His Majesty's subjects in general, but more particularly his Canadian subjects, are daily injured and abused to a degree they are no longer able to support, nor public justice endure.

They hope and believe that the practice upon which the complaints made to them are grounded is not common to that part of the commission which is exercised within your district, but as the conduct of every individual does in some degree affect the honour of the commission itself, and as general reformations can only take place under general resolutions, they have thought it proper that their sentiments upon this head should be communicated to the body at large rather than to those magistrates only whose conduct has given occasion to those complaints, not intending at this time to do more than mark their high disapprobation of the practice itself, and recommend a method of proceeding which appears to them as well calculated to answer the ends of justice, and less liable to those objections to which the other is so manifestly exposed and the consequences of which have been so severely felt.

They expect however an immediate attention to the subject matter of this letter and that (if possible) before the Court of Quarter Sessions breaks up, you will make and publish in the most open manner, such regulations as may meet the grievances complained of which at present prevail to the obstruction if not perversion of public justice, the oppression of the poor suitor and the dishonour of the commission itself.

The first thing I have in charge to observe to you upon the subject of those complaints, is the practice of dispersing in the several parishes papers signed only with the name of the Justice, and left to be filled up either in the form of a summons, a capias, a judgment, or an execution, as the person to whose hands it is entrusted (and who has not been by all the information that has as yet been received, even a ministerial officer of Justice) may think proper to make use of them, a practice so illegal in itself, so horribly mischievous in its consequences and so disreputable to the magistrate who gives it countenance, that the Governor and Council would not believe its existence, if the proof of it were not of a nature that excluded all possibility of doubt or misreport.

They expect, therefore, that all such papers shall be called in, and the practice for the future wholly discontinued.

But besides this most enormous and irregular proceeding, other matters of complaint have arisen from the present method of summoning parties to appear before a magistrate, many times at a great distance from the place of their residence, upon trifling occasions and for small debts, and it appears to the Governor and Council that the present form of the summons even those which issue in the most regular and least exceptional manner, together with the method of serving them is inconvenient if not oppressive, in these three instances:—

1. As they are very expensive by going through the hands of the provost marshal, whose bailiffs charge their travelling expenses at a rate which frequently exceeds in a great proportion the value of the thing in litigation.

2. As the time for the party's appearance under them is so short, as many times to subject him to a judgment by default without giving him an opportunity to make his defence.

3. As they are compulsory for his appearance without leaving it in his option by paying the debt to avoid the trouble and expense of an attendance before the magistrate.

To the first of these, they apprehend an effectual and perhaps the only remedy will be found, in making the person who applies for the summons the bearer of it (if he chooses to take the charge of it; if not that it be served by the bailiff of the parish, to whom it shall be transmitted at the expense of the party applying, for which the bailiff shall receive one shilling only and no travelling charges allowed) and by admitting his evidence upon oath, or that of a neighbour whom he may take with him, as proof of the service.

And they conceive that no inconvenience will follow from this, if it is confined to a summons for a small debt, and not extended to a process of a criminal nature, or such whereon bail may be demanded much less to a judgment or an execution, those ought without doubt to be executed by the provost marshal, or by persons employed by him for whose conduct he is answerable, but in cases where the matter in question does not amount to more than 40 or 50, or perhaps 100 lives, it is loading the process with a weight it cannot support to serve, at such an expense as the bare travelling charges of a bailiff will of necessity amount to.

To the second which introduces an obvious mischief, it may be difficult perhaps to prescribe any general rule, the time for appearance must necessarily vary in proportion to the distance, the roads and other circumstances which cannot be reduced to any certainty, but must be left to the discretion of the magistrate, regulated by those circumstances; it is hardly necessary to observe that it is a first principle that no man shall be condemned without being heard, and that a summons which cannot be complied with is no summons at all.

With regard to the third inconvenience which arises either from the ignorance of the party or the imposition of the bailiff, they recommend to the justices to make their summons with an optional clause, either to pay the debt or do the thing demanded, or in failure of that to appear and show cause why they should not. For though in truth it is in itself discretionary, and no man is or ought to be obliged to appear before a magistrate, if he is contented to do that, the refusal of which only was the cause of his being summoned, yet the Canadians, who are very ignorant dont know that, and it is to be feared, indeed it has been in proof, that the bailiffs, to increase the expense, frequently oblige the parties to appear though they are willing to satisfy the demand and anticipate all that could be obtained from a hearing before the magistrate.

These are the principal matters which I am directed to lay before the gentlemen of the commission for the district of Montreal, but I am commanded not to conclude without recommending it to them in general to facilitate the course of justice by alleviating the expense of it, and more particularly in that instance, if in truth it prevails, which subjects the suitor to a demand of six livres, or any other sum, for the use of the magistrates' room.

An ordinance in accordance with the reports of the Committee of Council was passed on the 3rd of February, 1770, which provided that the authority of the justices in matters of private property should be taken away, except from those who had a special commission for that purpose, and the clauses of the Act of 1764 which gave such authority to the justices were repealed, with a penalty on the justices for disobedience; all disputes for sums not exceeding £12 were to be heard before the judges of the Court of Common Pleas only, that court at Montreal being constituted an independent court with original jurisdiction, in all matters arising within that district, the same as that at Quebec was constituted for cases arising in that district, but concurrent jurisdiction was given for writs of execution, so that where the defendant had not property in the one district he could be followed to the other, on the writ being endorsed by the judge in the district in which it was to be executed. Other provisions, such as the permanent sittings of the courts, the amount of fees, the mode of serving the writ, its return, &c., restrained so far as regulations could do so, the exorbitant charges from which the inhabitants had suffered.

The ordinance was approved of by the King "who," wrote Lord Hillsborough, "wishes that every just ground of discontent should be removed and every real "grievance remedied, as far as may be."

It could not be expected that the magistrates whose conduct had been impugned by the circular addressed to them and by the ordinance which restricted their power

and limited their functions would remain quiescent. On the contrary, they made a violent struggle for the repeal of the new law. According to Sir Guy Carleton's statement to a deputation of the magistrates, who waited on him to present a remonstrance against the ordinance, they had issued hand bills calling a meeting of the people to discuss grievances, they had importuned and even insulted several French Canadians, because they would not join them. Carleton warned them that they were acting against their own interests, and that the firm refusal of the Canadians, as well as of most of their own countrymen, plainly showed the opinion the generality of the public entertained of their proceedings. In his letter to Lord Hillsborough of the 25th April, 1770, Carleton, however, after pointing out the evils caused by the law as administered by the justices, says, "though I have great reason to be dissatisfied with the conduct of some of the justices, there are worthy men in the commission of the peace in both districts and particularly in this of Quebec."

Pierre du Calvet, whose name became so well known in the subsequent history of Canada, also raised his voice in opposition to the ordinance, in a letter apparently addressed to Lord Hillsborough. After calling attention to his own disinterestedness and the good example he had always set to his brother magistrates, to whose improper conduct he alleges he had directed the attention of the Governor, with a plan for the amendment of the law, he says that the ordinance is an insult to him, and begs that it may not be allowed till his reasons and evidence against it be heard, and proceeds in the style for which his writings are distinguished:

All the ordinances or parts of them which issue from the Council, appear to emanate from despotic power, In this Province people solicit and intrigue; the intriguers bring dissension to it, as Your Excellency will see by a petition presented to His Majesty by the new subjects to obtain for themselves offices of every rank. The object, my Lord, is not of much interest to me, only I notice that the most of those who have signed it, disapproved in 1767 and 1768, by their signatures, the conduct of Mr. Carleton, whom they now eulogise in terms which may be described as immoderate.*

The Quebec Act of 1774 was, as stated by Sir Guy Carleton, introduced into Canada at a time of struggle and disquietude. It was received with disfavour by the other Colonies, who, at the Congress called to formulate complaints, brought it forward as one of their chief grievances against Great Britain, in that it recognized the Roman Catholic religion, abolished English laws and established a civil and spiritual tyranny in Canada, to the danger of the other Provinces. The address went very far. It declared that the Act gave a legal existence to a religion which had flooded England with blood and had spread hypocrisy, persecution, murder and revolt into all parts of the world. That this view of the Quebec Act was generally spread among the Colonists and made use of to excite their passions admits of little doubt. It is not necessary to multiply proofs of this; these are to be found in the writings of authors in the United States. Two passages may, however, be given from contemporary records. One is contained in a letter written by Joseph Reed, dated at

* Toutes les ordinances ou parties, qui sortent du Conseil, paroissent etre emanées d'un pouvoir arbitraire; on sollicite et on intrigne dans cette Province; des esprits remuans y portent la dissention, ce que votre Excellence verra par une Requête que les nouveaux sujets presentent à sa Majesté pour obtenir d'occuper tous grades. L'objet milord m'intéresse peu, mais seulement j'observe que la plupart de ceux qui l'ont signé, ont en 1767 et 1768, desaprové par leurs signatures la conduitte de M. Carleton dont ils font un eloge qui peut étre taxé d'immoderé.

Philadelphia on the 25th of September, 1774, addressed to Lord Dartmouth. After giving an account of proceedings at the Congress, he says: "The spirit of the people "gradually rose, when it might have been expected to decline, till the Quebec Bill "added fuel to the fire; then all these deliberate measures of petitioning previous to "any opposition were laid aside as inadequate to the apprehended danger and mis- "chief, and now the people are generally ripe for the execution of any plan the "Congress advises, should it be war itself." (Historical Manuscripts Commission, 11th report, Appendix V, p. 362.)

The other is an entry from the Minutes of "The American Philosophical Society held at Philadelphia for promoting useful knowledge," quoted by Dr. Brown Goode, of the Smithsonion Institute, in a paper read before the American Historical Association. The President of the Society was Benjamin Franklin, and the entry is in the handwriting of Dr. Benjamin Rush, one of the signers of the Declaration of Independence, setting forth the reasons for discontinuing the meetings of the Society to be: "The Act of the British Parliament for shutting up the port of Boston, for "altering the Charter and for the more impartial administration of justice in the "Province of Massachusetts Bay, *together with a Bill for establishing popery and* "*arbitrary power in Quebec.*"

Such declarations the Colonies found it difficult to explain, when they tried to secure the French Canadians as their allies against Great Britain. To effect this, a deputation was appointed by the Congress to proceed to Canada, consisting of Benjamin Franklin, Samuel Chase and Charles Carroll, who prevailed on the Rev. John Carroll, afterwards the first Roman Catholic Archbishop of the United States, to join them. He is described as a Jesuit of distinguished attainments, amiable manners and polished address. The design of adding him to the deputation was to secure to the cause of the Colonies the influential Roman Catholics in Canada. To all the considerations urged on this score, the French Canadian clergy answered that they had nothing to complain of against the British Government in regard to religious liberty, and, therefore, that upon the well established principle that allegiance is due to protection, the clergy could not teach that neutrality was consistent with the allegiance due to such ample protection as Great Britain had shown the Catholics of Canada. The deputation returned unsuccessful.

What effect the address respecting the Quebec Act had on the general French Canadian population is shown by the feeling exhibited when a translation was read of the passages referring to the Roman Catholic religion. In a letter from American Archives, quoted in the Introductory Memoir to Carroll's Journal, they are representing as saying: "Oh! the perfidious double faced Congress. Let us bless and "obey our benevolent Prince, whose humanity is consistent and extends to all "religions; let us abhor all who would seduce us from our loyalty, by acts that "would dishonour a Jesuit, and whose addresses, like their resolves, are destructive "of their own objects."

The agitation for a new constitution which had shown itself at intervals during the war, assumed larger proportions at its conclusion. A petition was presented in November, 1784, for a free constitution, described as from "The ancient and new subjects of Quebec," but an examination of the names shows that only four of these, from the names, might possibly be French Canadians. The others were those of

men generally described as old subjects, although they were, in reality, a mixture of various nationalities. The petition received 233 signatures in Quebec, 246 in Montreal and 18 at Three Rivers. A summary, showing the extent of the demands, is given at page 146 of the calendar. At a meeting held in the residence of the Recollets on the 30th November, objections were taken to this petition, which was considered article by article, and the demand for a House of Assembly was declared to be contrary to the interest and well-being of the French Canadians. On the 25th of February next (1785) the seigniors and leading men were authorized, at meetings held in the parishes, to sign a petition against a change in the system of government, as asked for in the petition of 24th November. In the memorial against the plan proposed, they say: "This plan is so much more questionable as it appears to us to aim at innovations entirely opposed to the rights of the King and of his government and to detach the people from the submission they have always shown to their sovereign."*

The loyalists and disbanded troops were, however, also moving for a change of constitution. On the 11th of April, 1786, Sir John Johnson, then in London, presented a petition signed by the officers on behalf of the disbanded troops settled on the lands above Montreal, praying for a change in the tenure of land, and for the establishment of a new district from Point au Baudet upwards, distinct from the Province of Quebec, in which they prayed, that "the blessings of the British laws " and of the British government and an exemption from the French tenures" might be extended to them. This memorial to some extent contradicted the opinion sent by Hope to Lord Sydney in the previous November, that the desire of the loyalists for a new system might lead to embarrassment, but did not demand an immediate settlement. In the same letter he alleges that a similar desire on the part of the petitioners in Quebec and Montreal arose from faction and party spirit, and that, with the exception of a few obscure men, the French Canadians were aware of the advantages the Act (of 1774) gave them, party spirit having made little progress among them.

In June, 1787, Lord Dorchester reported to Sydney, that the English party had gained strength by the arrival of the loyalists, and that the desire for a House of Assembly would, no doubt, increase. He then urged caution and deliberation, and advised that the proposals for such a change should be printed and circulated, so as to be discussed and understood, candidly acknowledging that he was himself at a loss for a plan. He enclosed a memorial from the loyalists representing the new settlements from Point au Baudet to Niagara, dated at New Johnstown (Cornwall) the 15th April, 1787, a summary of which is given at page 187 of the calendar, by which it will be seen that nothing is said of a House of Assembly, or a change in the constitution, unless a prayer for the change in the tenure of land may be so considered.

On the 14th September of the same year (1787) Lord Sydney wrote that there was then no intention to alter the constitution of the Province, but that the King would be advised to change the tenure of land in Quebec, and on the 20th, in a private letter to Lord Dorchester, he says: "The rights and the opinions of the

*Ce plan nous est d'autant plus suspect qu'il nous parait tendre à des innovations entièrement opposées aux droits du Roy, et de son gouvernment, et à détacher le peuple de la soumission qu'il a toujours eu pour son souvereign.

" ancient inhabitants of Canada must be attended to in everyt hing like a change of " the government, otherwise under the show of giving a free constitution we are " really practising tyranny." He then states that there is no immediate thought of proposing any alteration in the Quebec Act and proceeds: " No plan of an Assembly " has been suggested by any one, and indeed it would, under the present circum- " stances, be very difficult to form such a one as would not be liable to very great " objection, but I foresee, as well as your Lordship, that in proportion as the number " of British and Loyalists increases in the Province, the applications for one will " grow more frequent and pressing."

It is unnecessary to trace, step by step, the events that led to the decision to repeal the Quebec Act of 1774 and to introduce a new system of government.

The letters in Note B from Mr. Grenville enter at some length into the reasons for the change and for the division of the Province, the latter being a step taken in opposition to the advice of Lord Dorchester. It will be seen that one of the original propositions was to give the members of the Legislative Council a title of honour, either personal or hereditary, such as a provincial baronetage, in the first instance, with a higher rank as the accession of wealth to the Province might warrant. To this provision, also, Lord Dorchester was opposed, on the ground that owing to the fluctuating state of property in these Provinces, all hereditary honours would be exposed to the risk of falling into disregard. The correspondence between Mr. Grenville and Lord Dorchester and the draught of the Bill with Lord Dorchester's amendments, may be read with advantage, by those who desire to study the history of the Act of 1791. It is true that the correspondence has been referred to by those who have dealt with the events of this period, but the text of these documents and others which form part of Note B has never, so far as I can ascertain, been published.

Attention was early directed to the question of a union of all the North American dominions that remained under royal authority after the conclusion of peace in 1783. It was suggested by Colonel Morse in a report, dated in that year, of a survey of Nova Scotia. He believed that by the union of the Maritime Provinces with Canada a great country might be raised up, with a general government, having its seat in the Island of Cape Breton, which he considered very favourably situated for this purpose. The proposition will be found in the report on Archives for 1884, Note C. p. liii.

In 1790, Chief Justice Smith proposed to attach to the Constitutional Act, the draught of which had been transmitted by Lord Grenville, an addition for a general government over all British North America, believing that one of the most efficient causes of the violent separation of the Colonies from the Mother Country was the want of a central power on this continent to cooperate with the Imperial authority in the guidance and control of the local legislatures.

The letter to Lord Dorchester, which the Chief Justice sent with his proposed additions, is in Note B. p. 34, the additions at page 36. It will be seen by an examination of these how indefinite were the provisions submitted, beyond the fact that a general government was to be established with subordinate legislatures, but with no definition of their respective powers.

About 1821, a plan was proposed to unite the two Provinces of Upper and Lower Canada, petitions in support of this proposal being sent in 1822 from Kings-

ton, and against it from the County of Wentworth and from Thorold, the tone of all the petitions showing the jealousy that existed between the two Provinces and the certainty that it would increase rather than diminish, to judge by the sentiments expressed in the various petitions.

The next propositions looking towards a union of the Provinces were those made by Lord Durham in his report on Canada. These were three in number. His Lordship suggested that the new system might consist either (1) of a Federal union of all the Provinces, each of them retaining its own separate Legislature and all the powers not specially delegated to the Federal authority; or (2) a legislative union with all the powers which the term implies; or (3) the union of Upper and Lower Canada, which latter was the plan adopted.

A more extended union of the Provinces was, from time to time, spoken of in general terms, but no definite plan was suggested. In 1838 a committee of the Assembly of Upper Canada, of which Mr. Henry Sherwood, M.P.P., was chairman, made a long report on the "Political State of the Provinces," in which two plans were mentioned with approval, one, the repeal of the Act of 1791, and a return to that of 1774; the other, a measure for the legislative union of all the British North American Provinces. "One of the most important advantages," says the report, "that would immediately result from it, is the establishment of "BRITISH ASCENDANCY," without any change in the principles of the existing constitution." (The capitals are printed as in the original.)

In November, 1750, Mr. Sherwood in his private capacity, wrote two letters on the subject of a union of the Provinces, but his proposal now was for a Federal, or, to use his own term, a Federative union. In the following April, he sent the draught of two bills for the purpose of effecting the union he proposed. The letters and bills were republished in pamphlet form, in which shape they are accessible.

The most important contribution to the discussion of the question was that made by Dr. J. C. Taché, lately Deputy Minister of Agriculture, in a series of letters to the *Courrier du Canada*, beginning on the 7th of July, 1857, reprinted the following year, in a volume of about 250 pages. Dr. Taché proposed a Federal union, the Federal Government to have the power of legislating on matters of trade, including banking and other financial institutions; customs, including the establishment of a uniform tariff; public works and navigation; the militia and criminal jurisdiction; and pointing out the limitations that might be necessary. This was followed by other writers and speakers, and in 1867 Confederation became an accomplished fact, and the Dominion of Canada came then into existence.

It seems unnecessary to comment on the other documents in Note B, as they are given in full.

In the reports on Archives for 1888 and 1889 are documents relating to the North-West or Fur Trade, the former containing letters and memorials respecting that trade dated in 1780 and 1784, the latter giving the correspondence in 1789 and 1790 for an exploration of the North-West lands and coasts, which may be referred to. Additional documents are given in this report.

In October, 1784, shortly before General Haldimand left Quebec, on his retirement from the position of Governor, the North-West Company, by their directors,

Messrs. Joseph and Benjamin Frobisher, presented a memorial stating their intention to send out an exploring expedition towards the tract of country west of the Hudson's Bay to the North Pacific Ocean, between the latitudes of 55° and 65°, praying for the exclusive right of passage by the route they might discover from the north side of Lake Superior to the River Ouinipique and of the trade either by that passage or by the existing communication by the Grand Portage, for ten years, as a reward for their services and for the discoveries conducted at their own expense. The letter which accompanied the memorial gave an account of the attempts to establish the fur trade under British rule in Canada, which will be found to contain details not given by Sir Alexander Mackenzie in the introduction to his "Voyages from Montreal" (London, 1801). The Hon. L. R. Masson, in his "Bourgeois de la Compagnie du Nord-Ouest," gives additional details respecting the early adventurers.

An immediate answer was returned by general Haldimand through his secretary, that he did not feel himself authorised to give a grant either of the passage if discovered, or an exclusive right to trade for a certain time, but would send the memorial to the ministry.

On the 9th of April following (1785), Lt. Governor Hamilton sent the following remarks to Lord Sydney respecting Pond mentioned in a previous report:—

Mr. Pond is an American by birth, he has long indulged a passion for making discoveries, he has pursued them indefatigably, being qualifyed by an excellent constitution to endure the fatigues, and by an active mind to encounter the many difficulties that naturally occur in the prosecution of such pursuits.

This gentleman has communicated to me the map on which his route is traced he has also without difficulty entrusted me with the remarks he has made, his confi. dence cannot be better repayd than by commending him to your Lordship.

(In "Les Bourgeois," there are remarks on Pond and his map to which reference may be made).

On the 18th of the same month Pond, on behalf of the North-West Company, sent a memorial to Lieutenant Governor Hamilton, in support of that sent by Messrs. Frobisher to General Haldimand in October. In June the memorial to Haldimand and maps were transmitted by Lieutenant Governor Hamilton to Lord Sydney. The correspondence which includes letters from Mr. James McGill, from the merchants at Detroit and others is at Note C.

The importance to Canada of the fur trade is clear from the prominence given to it in the earliest annals of the country, down to the close of French domination. It formed the subject of political arrangements in France, of legal provisions and of ecclesiastical regulations. The existence of a class of the community, known as *coureurs des bois*, or bush rangers as the term may be translated, was due to this cause; it largely entered into the reasons for exploring the country; had a decided influence in exciting and continuing hostilities towards the other Colonies and drew closely the ties between the French Canadians and Indians engaged in the same pursuits, the Indians being attracted and their affections secured by the manner in which the intercourse with them was maintained.

After the capitulation of Montreal, in 1760, the trade was carried on by isolated traders, chiefly French, but owing to various causes it was not of a very remunerative nature.

A sketch by Benjamin and Joseph Frobisher of the progress of the trade is at page 50 of Note C to this report, so that it would be a work of supererogation to repeat it here. That and the other correspondence are, therefore, simply referred to.

The correspondence published in the report for 1889 refers (with the exception of the journal of Laverendrye) to a proposed expedition apparently in the interests of the Hudson's Bay Company; that in the report for 1888 relates to the North-West Company, and that in this report to propositions made on behalf of the same company. The policy of the Hudson's Bay Co. was to draw the Indians to their posts or factories on the coast, at which they disposed of the produce of their winter hunt, returning to their hunting grounds with the goods they had received in exchange. The reason given for this practice was, that it prevented summer hunting, thus acting as a close season, so that the fur bearing animals were not unduly reduced in number, and, in addition, that only the winter, that is, the most valuable, furs were brought to the factories. The advent of the North-West Company, however, led to a change of policy, and to the establisment of trading posts in the interior to meet the competition.

The headquarters of the North-West Company were at Montreal, where those of the partners who acted as agents, managed the general affairs of the company, the others, known as wintering partners, were distributed at the various posts in the interior, to conduct the trade with the Indians. The goods for the purposes of this trade were assorted and packed in Montreal. The difficulties of transport are pointed out in the letters of Messrs. Frobisher (Note C, page 51) and of Mr. McGill (page 55). The value of each canoe load on arrival at Michilimakmak was estimated by Mr. Charles Grant, in 1780, to be £660 currency, equal to $2,640, showing the cost of transport by the Ottawa to have been $640 for each canoe, the value at Montreal having been $2,000. In April, 1784, Mr. Benjamin Frobisher wrote that 28 canoes were ready to be sent off, valued at £20,000 currency, or $80,000, a sum for each canoe largely in excess of the estimate made by Mr. Charles Grant four years previously.

After the company had been fairly established, a meeting was held annually at Fort William of all the traders to settle their affairs; to arrange for the operations of the coming year, to fix the stations to which each wintering partner was to be sent. In settling the accounts each partner had to bring his in detail, so as to ascertain the profits or losses in each department into which the affairs of the company were divided. In Washington Irving's "Astoria," an account is given of the proceedings at these annual meetings, which he describes as being conducted on a scale of profuse expenditure. The fur traders were, in fact, the merchant princes of that period.

The map prepared by Pond, and referred to in the correspondence, has been engraved to accompany this report. In 1790, Mr. A. Dalrymple, hydrographer, writing to Mr. Evan Nepean, proposed to send a copy of a map he was preparing, containing the West Coast of Hudson's Bay, without Peter Pond's or the Canadian parts. Mr. Isaac Ogden, writing to his father, in November, 1789, refers to Pond's discoveries, and speaks of him as a "gentleman of observation and science."

In the report on Archives for 1886, a sketch was given of the progress of canal building in Canada from 1779, when the military canals were constructed to over-

come the rapids on the St. Lawrence above Montreal, and in the report for 1889, a correspondence was published respecting a proposed canal from Lake Champlain to the St. Lawrence. That correspondence was begun in 1785, but it was nearly sixty years later before a beginning was made to construct the Chambly Canal to connect the waters of Lake Champlain with the St. Lawrence. In the latter report a reference was made to Colonel By's recommendation as to the dimensions of the Rideau Canal, and the total amount specified for each division of the works which he believed would be adequate to complete an uninterrupted steam navigation from Quebec to Lake Superior. The whole correspondence on the subject, now published, shows Lieut. Colonel By's proposals, and the views of engineering authorities, which were widely opposed to each other, on the policy to be adopted in determining the size of the locks.

At the close of the war with the United States in 1783, the present Province of Ontario was almost entirely uninhabited, with the exception of a few scattered settlements, or trading posts. Along the Ottawa was a complete wilderness and to prepare for the settlement of disbanded soldiers and loyalists, exploring parties were sent out to examine and report on the nature of the land and whether it was suitable for the purpose intended. Of these, the report by Lieut. French has been selected, as he traversed the general line of the present Rideau Canal, striking the St. Lawrence, however, at Gananoque, about five leagues N. E. of Kingston, according to the estimate in his report of survey, which is close upon the real distance.

The names of Jeremiah & Gershom French appear in the list of those who joined Burgoyne's expedition in 1777, the former as a captain, the latter as a lieutenant. Of Jeremiah not much is said in the correspondence; he was a farmer, apparently in good circumstances at the beginning of the conflict between Great Britain and her Colonies, and appears to have joined the expedition of 1777, in the corps of Queen's Loyal Rangers commanded by Colonel John Peters. Gershom joined at the same time with a number of recruits, whom he had raised by virtue of a commission in his favour issued by Mr. Monfort Brown, Governor of the Bahamas, although the commission was dated at Flushing, Long Island, on the 26th of October, 1776. He is described in one of the returns as having been a merchant, and in another return as being "an active, intelligent young man." His name frequently occurs in connection with the management of the loyalists, and he was evidently regarded as honest and capable. What confirms this view is the result of a court martial held in consequence of very serious charges brought against the two Frenches, by Colonel Peters, of which they were honourably acquitted, most of the charges being declared frivolous and some of them malicious.

In November, 1783, General Haldimand wrote to Lord North that he was waiting for definite instructions as to the extent of the assistance he should give to the loyalists; in the meantime, he wrote he had allowed them provisions and had been under the necessity of providing many of them with money and clothing. To exempt Government from these expenses he had lost no time in preparing a settlement for them at or near Cataraqui (Kingston) and had received reports of a survey of the land on the Ottawa from Carillon upwards as far as Cataraqui. One of these (that by Lieut. French) is at Note D, the other by Lieut. David Jones, being short, is embodied in the text. As will be seen, Lieut. Jones went by the township of Chatham to Grenville, passing along by the site of the future villages on the north

shore of the Ottawa to the Gatineau, thence to the Chaudière. Returning by the south shore he went over the site of the city of Ottawa, to the Rideau, and back to the Rapids, but the account of this part of the journey is too indefinite to permit of his exact route being traced. His report is entitled: "A description of the country and land in the River above Carryo &c. viz."

Half a league above Carryo (Carillon) the land is good but somewhat stony, the Timber Maple and Beech, we proceeded up the Rapids, found three carrying places, the Land in many places very good until we got to the head of the Rapids, the Mountain closes near the river and continue to the Red River about four miles from the Rapids on the north side of the Grand River. From the above Red River the mountains continue near the Bank of the River for about ½ a League, then comes a bruley which continues about Two Leagues in length and ½ League in Breadth—Back are Barren mountains. The soil in said bruley is clay except nigh the River, there sand. No Timber but small Spruce Poplars. About one League from thence emptys Salmon River. Here the Banks are low and the Land much covered with water in time of Flood. Back of which the Lands uneven and Intermixt with seader Swamps which continue to the Mountains which is but a short space from the Drown'd Lands, the Timber on the Lands Back is Pine, Spruce and Seader, it continues as above for a Bout Seven Leagues. Here the land is Drownd and full of large Bays & Swamps which continues almost to the little Nation from which we proceeded about Four Leagues to Madm Parran's but found the land low and much covered with water in time of flood, this place has many large Bays, seting back a great Distance, the back of them very Rough, not fit for cultivation—from this we proceeded on our way about Seven Leagues we past a small River—But the Land as before. Many Bays, the Land covered with water in time of Flood—from thence we proceeded and in about half come to the River Lettinoe (Gatineau), from thence about a League to Shoadear (Chaudiere) Falls, still found the land to be low only at the River Lettinoe it appeared to be good near the Bank of the Grand River but Back full of Marshes. And as our Search has been on the North Side of the Grand River we now Proceed Down on the South Side and Discover as follows, from the Shoadear Falls found the Land very Rough and Mountainous until we arrived at the River Redo (Rideau), here it appeared more level but not fit for cultivation.

The Timber is chiefly Pine, Seader and Hemlock and Remains such Down to the aforesaid Madam Parran's about seven Leagues from thence found the Land good Down to the Little Nation, this good Land lys back and extend In Length about four Leagues, from thence three Leagues the Land is bad Full of Pine and Seader Swamps and continues much the same for about Five Leagues, or even to the Rapids.

DAVID JONES, *Lieut.*

This and the report by Lieut. French will give a clear idea of the state at this time of the country, between the present city of Ottawa and Carillon. The rapid settlement by the U. E. Loyalists and others may be easily traced in the ordinary histories.

The construction of the Lachine Canal was completed in 1824, the first vessels passing through in 1825. Lieut. Colonel By, who had been in Canada in 1805, as a lieutenant, had apparently left in the beginning of 1809, with the rank of second captain. The last document on record relating to his employment here during the period between 1805 and 1808, is a report on certain buildings at St. John's, dated in November of the latter year, at a season too late for him to sail that year by the St. Lawrence. When it was determined for military reasons to construct canal communication between Montreal and Lake Ontario by way of the Ottawa, Lieut. Colonel By was selected by General Gother Mann to take charge of the work and to

complete and correct the preliminary surveys made by Mr. Clowes, a Civil Engineer. On the 14th of March, 1826, Sir James Carmichael Smyth sent a memorandum to General Mann, Inspector General of Fortifications, from which the instructions to Lieut. Colonel By were prepared. Summarized, the instructions were: 1. That the locks must be 108 feet in length and 20 feet in breadth to correspond with the Lachine and Grenville canals, built and building. 2. That whatever pressure might be brought by the merchants and others to change the route to Gananoque or elsewhere instead of Kingston, no change could be made. Sir James Carmichael Smyth regarded the work as one of a purely military character. He says: "In a mercan- "tile point of view these considerations might be worth attending to. As it is, "however, an uninterrupted water communication between the Ottawa and Lake "Ontario that Government have in view, and the circulation of Gun Boats between "Montreal and Kingston, that line only which will ensure these advantages must be "adopted. The Canal must end at Kingston. The military reasons are too obvious "to require being recapitulated here. The Canal will have to be conducted by the "Rideau River, the Mud Lake, Cranberry Marsh and Kingston Mill Stream." In clauses 3 and 4 Lieut. Colonel By is recommended to obtain the surveys and estimates laid before the Legislature of Upper Canada, "drawn up by a very able practical civil engineer, Mr. Samuel Clowes," and also the volume containing the collected reports of the American engineers on their canal system. In clause 5 he is desired to inspect the Lachine Canal, "a truly valuable and magnificent under- "taking (for a new country)" so as to ascertain the cost of materials, &c.; To let the work by contract. The other clauses relate to the assistance he is to obtain from Lord Dalhousie and from Sir Peregrine Maitland, so as to be able to make the necessary arrangements for land, of which the Board of Ordnance desire Lieut. Colonel By to take a "sufficiency on such points of the Canal nearest to Kingston "which from their proximity to the Lake Ontario might eventually require Martello "Towers or Batteries to protect the embankments and Locks from being destroyed "by the landing of an enemy for that purpose." (Series C, Vol. 426, pp. 164, &c).

The view expressed by Sir James Carmichael Smyth in regard to the policy to be followed in respect to the construction of the Canals in Canada, that is, that they were intended for purely military purposes, is the key to his course in opposing any proposal for their enlargement. On the 13th July, 1826, apparently immediately after his arrival, Lieut. Colonel By sent a dispatch to General Mann in which he strongly recommended the formation of an uninterrupted steamboat communication from Quebec to Lake Superior, by enlarging the locks so as to admit of the passage of steamers, of which so many were building for the navigation of the lakes; to open the communication from Lake Champlain, so as to secure for Quebec the commerce from that part of Canada and of the United States bordering on the Lake; to deepen and make practicable by locks the North passage round the Island of Montreal, and to give access to Lake Superior by what he calls "a trifling work at the Falls of St. Mary's." He also expresses the belief that were this great work completed, the Lachine Canal would not be sufficient to pass one-hundredth part of the trade of the Lakes, but this, he adds, "is of no consequence, as the bulk of that trade would pass "on the North side of Montreal to Three Rivers, which, being the first roadstay in "the St. Lawrence, will ultimately become the general rendezvous for shipping." The whole of his letter on the subject is in Note D, p. 70, to which reference may be made.

As will be seen by the answer of Sir James Carmichael Smyth to General Mann (Note D p. 73) he opposes in the strongest terms Lieut. Colonel By's proposals. His sole idea, it is apparent, was to provide for military transport, commercial convenience being in his view of no importance. "A canal of 20 feet breadth of lock," he says, "will pass gun boats, the craft of the country, and will pay for its construction." And again: "I do not see any benefit to be derived from a greater breadth without "a corresponding depth. Locks of 20 feet in breadth will afford every advantage; "a larger canal will never pay, will cost a prodigious sum and will not afford corres- "ponding advantages."

The last paragraph of his letter is very clear as to his entire disregard for commercial considerations. He says: "It does not appear to me that Lieut. Colonel By "has taken a judicious view of the military features of the defences of Canada in "proposing to improve the navigation of the river from Lake Champlain to the St. "Lawrence. If he could add to the impediments it would, in my opinion, be more "advantageous to His Majesty's service."

The further correspondences at note D, shows the difficulties Lieut.-Colonel By had to contend against; the appointment of a commission to investigate the question and to settle on the policy to be adopted, &c. It is not necessary to do more than to refer to the correspondence and other documents which show the solution of the difficulty the commissioners proposed by the adoption of temporary wooden locks, but without any definite recommendations on the point at issue.

In the summer of 1828 a committee was named by the Board of Ordnance to make a further and apparently what was intended to be a final report on the subject of the enlargement of the locks. On Sir James Kempt's arrival from Nova Scotia, he called the committee together, which consisted of Lieut. Colonels Fanshawe and Lewis, Sir James being president. On the 28th of June, instructions were sent by the committee, signed by all the members, to Lieut. Colonel By which besides the general directions as to the expenditure contained two paragraphs, the effects of which continue to the present time. The committee, setting aside Sir James Smyth's often repeated recommendations, instructed Lieut.-Colonel By, that "the navigation is "to be carried on between the Ottawa and Kingston upon a continuous depth of "water of five feet at the lowest seasons, calculating the Kingston water at present "at four feet above the lowest level.

"The locks are to be capable of containing a steamboat 30 feet wide over the "paddle boxes, and 108 feet long, clear of opening the gates." (Archives, Series C, Vol. 45, p. 216).

On the 3rd of July Sir James wrote to Lord Dalhousie that the committee, including himself, had gone over the whole line of the intended navigation and inspected the works in progress, and stating the decision they had arrived at, as given above in the extract from the letter to Lieut.-Colonel By (Series C., Vol. 45, p. 204). Plans and detailed estimates had been laid before the committee. A summary of these, prepared by Lieut.-Colonel By and signed with his own hand, shows the actual cost for Lachine and the estimated cost for the Rideau Canal. The items are copied exactly as in the original.

For the Lachine lock of 20 feet wide by 108 feet long. £544,676.2.9½
The lock of 150 feet long by 50 feet wide, with the sluices in the gates as proposed by Lieut.-Colonel By 597,676.2.9½
The lock of 134 feet long by 33 feet wide, approved of by the Committee..... 576,757.14.9½

The decision appears to have been a compromise between the two extreme proposals of Sir James Carmichael Smyth for locks of 108 feet by 20 feet, and Lieut.-Colonel By for locks of 150 by 50. No time was lost in carrying the orders into execution. Lieut.-Colonel By was in Kingston when he received the orders of 29th June. On the 5th July he wrote to Lord Dalhousie that he had laid out at the various stations locks approved of by the committee, whose dimensions he states by an evident slip of the pen to be 133 feet by 33 (Series C, Vol. 45, p. 223). A similar letter was written on the same day to General Mann, giving the correct dimensions (Series C, Vol. 45, p. 226) and the work as it now stands was proceeded with.

Part of the documents forming Note E may appear at a casual glance to relate only to the interests of the United States, but a careful and critical examination will show that they have a direct, close and important bearing on the affairs of Canada. The hostility of the Indians, excited, as it was alleged, by the traders, acting under secret instructions from the British Government; the retention of the frontier posts, the delivery of which was demanded by the United States immediately after the provisional treaty had been signed, and other causes of a like nature might have brought about a renewal of the rupture between Great Britain and the United States, in which case there can be no doubt that Canada would have been the battle ground. These causes which are dealt with in the documents, are readily seen to be of importance to Canadian interests. But there are others of a more remote and less apparent character, which are of no less importance to Canada, by the complications they threatened to introduce into the interstate relations of the newly formed Republic as well as by the policy which it might be necessary on the part of the United States to hold in regard to European countries.

For the documents respecting the Indian wars, reference may be made to the calendar of State Papers, which forms part of this report. The summary of the correspondence, councils, reports from the Indian agents, &c., gives, it is believed, a sufficient indication of the events connected with these hostilities. To have published the documents, or even any considerable part of them, in full, would have swelled unduly the bulk of the report. It will be seen by the official correspondence how little foundation there was for the charge that the British Government was employing Indian traders to stir up the Indians to commit acts of hostility, and how opposed the disturbed state of affairs was to the interests of these traders.

Another dangerous question was that arising from the retention of the frontier posts lying within the boundaries agreed on by the treaty of 1783. The anxiety of the Congress of the United States to obtain possession of these posts is clear from the date of the demand for their surrender, which was made two months before the treaty of peace was signed in Paris (the 3rd of September, 1783). Provisional articles of peace and reconciliation between Great Britain and the American States were entered into on the 30th November, 1782. (Chalmers, Vol. II. The *Annual Register* gives the 13th of November as the date.)

On the 12th of July, 1783, General Washington, dating his letter from "Head Quarters, Hudson's River," wrote to General Haldimand that he had been instructed by Congress to make arrangements "for receiving possession of the posts of the "United States occupied by the troops of His Britannic Majesty, and from which "His Majesty's troops are to be withdrawn, agreeably to the 7th Article of the "Provisional Treaty," (B vol. 175, p. 211), and that he had desired the Baron de Steuben, who was the bearer of the letter, to make all the necessary arrangements for obtaining possession of the posts and fortresses on the north western frontier of the Territory of the United States. The demand presented, however, included all the posts, wherever situated within the boundaries agreed on. The Baron de Steuben wrote from Chambly on the 3rd of August that he had arrived there on his way to Quebec, and was sending his aide-de-camp before him with the letters from General Washington. To save the Baron from a useless journey, he was informed that General Haldimand was on his way to Sorel and would meet him there. Their discussion on the subject of the mission was verbal, but the subsequent letters to General Washington and to Baron de Steuben show that the refusal to give up the posts without definite instructions from His Majesty's Ministers was positive, and was thus accepted by the Baron, who so far modified his demand as to ask only for "a safe conduct to and the liberty of visiting them (the posts), that I may be able to "make such arrangements for the interests of the United States as may be necessary "when they shall be delivered up." (B 175 p. 221.) This also was declined, but the negotiations seem to have been conducted with great politeness on both sides, as General Haldimand expressed to General Washington his sense of the pleasure he had received in meeting the Baron, who on his part wrote in the warmest terms of the politeness with which he had been received by the General and his officers, from his entering Canada till his return to Crown Point, "*les honnêtetés et les politesses* "*ne s'effaceront point de ma mémoire.*"

That there was a settled policy to refuse delivery of the posts, notwithstanding the terms of the treaty, is evident. The provisional treaty, which was "not to be "concluded until terms of a peace shall be agreed upon between Great Britain and France" contained a clause that "His Britannic Majesty shall with all convenient speed * * "withdraw all his armies, garrisons and fleets from the said United States and "from every part, place and harbour within the same." The definitive treaty with France was signed on the same date as that with the United States, so that without some special reason this clause, embodied in the definitive treaty with the United States, should certainly have taken effect at the date of the instructions given to Brigadier-General St. Léger by General Haldimand, on his retirement from the command at Quebec. These instructions, dated on the 14th of November, 1784, are very positive, and subsequent correspondence shows that the determination therein expressed was the result of a fixed policy. The instructions on this point were couched in these words: "Different attempts having been made by the American "States to get possession of the posts in the Upper Country, in consequence of the "treaty of peace, I have thought it my duty uniformly to oppose the same, until "His Majesty's orders for that purpose shall be received, and my conduct upon that "occasion having been approved, I have only to recommend to you a strict attention "to the same." (Series B, Vol. 221, p. 31).

The posts thus held were those of Detroit, in Michigan; Michilimakinak, on Lake Huron; Fort Erie, on Lake Erie; Niagara, Oswego and Oswegatchie, in the State of New York; Pointe au Fer and Dutchman's Point, on Lake Champlain.

The retention of these posts was, it is clear, a measure adopted in consequence of the non-fulfilment of Articles IV and VI of the treaty. These were positive. By article V it was agreed that Congress should earnestly recommend to the respective States to provide for the restitution of all estates, rights and properties which had been confiscated, belonging to British subjects and to pass laws, consistent with justice and equity, as well as with the spirit of conciliation. As Congress alone could negotiate with foreign powers, Great Britain by this article left the question of its fulfilment one between Congress and the several States, and it was allleged by Mr. Jefferson, at a date subsequent to those in the documents in Note E, that the United States had only agreed to recommend and had no expectation that effect would be given to the recommendation. Technically, therefore, the terms of the Treaty may have been complied with in the case of the fifth article, but the British government held and maintained that there was no performance of the other articles, and that until these were complied with the reciprocal obligations could not be insisted on. When Congress took into consideration the course to be followed in consequence of the acceptance of the preliminary articles it declined to accept the report of its committee to issue the recommendation agreed to in Article v, only Mr. Hamilton voting for its adoption. The words of this report clearly establish the difference in the articles pointed out above, namely, that four and six were positive in respect to the action of Congress and that five only bound Congress to recommend a course of action to the individual States. The words are :

"Resolved, that the several States are *hereby required* to remove all obstructions "which may interpose in the way of the entire and faithful execution of the fourth "and sixth articles, and that it be at the same time *earnestly recommended* to them "to take into serious consideration the fifth article, and to conform, &c."

After the ratification of the treaty the recommendation was issued immediately, but no attention appears to have been paid to it. In fact, the Legislature of the State of New York subsequently passed even more stringent laws against the loyalists than those already in existence, in spite of the efforts made by the Senate of that State, to restrain the House of Assembly from the extreme measures enacted by that branch of the Legislature, not only in regard to the terms of article five, but also, it was maintained, in contravention of articles four and six, which had been settled by the Congress representing all the States. (For legislation by Georgia, see Q, vol. 49, page 303.) It was on such grounds therefore, that the British Government declined to give up possession of the posts within the boundaries agreed on by the treaty. The justice or otherwise of this action may now be determined with more calmness and impartiality than was possible at thetime the question was in agitation.

Another question which is of direct interest in the documents is that relating to commercial intercourse with the United States. A party in the House of Representatives, of whom Mr. Madison appears to have been one of the most prominent members, if not the leader, was in favour of the closest restrictions on commerce between the United States and Great Britain, including the North American and West Indian dominions. The reports of the confidential agent show the spirit of

Mr. Madison in these early days of the Republic and the hostility he cherished towards Great Britain, with which peace had been so recently concluded.

The connection of other subjects treated of in the documents is not so readily apparent as those concerning Indian affairs, the retention of the posts and commercial relations, yet it is even more important.

In Note E p. 108, is a proposal presented to the French Minister in America, forwarded by him to the Court of France, for the acquisition of Louisiana, from Spain. It would be out of place here to speak of the early struggles of France, and Spain for the possession of that country. In the second volume of Dumont's *Mémoire historiques sur la Louisiane* is an account of these, and of the occupation of that country by the French, who, in addition, had at that time possession of Canada, Cape Breton, &c., the Spaniards holding Mexico, New Grenada and the two Floridas, Virginia, in the neighbourhood of Florida, being a British possession. The treaty following on the conclusion of the war in 1760 made a complete change in the ownership of the French and Spanish territories. The preliminary articles of peace were signed at Fontainbleau and afterwards embodied in the Treaty of Paris of 10th February, 1763; but the King of France, by a separate convention with Spain, and as an act of acknowledgment of the sacrifices made by that power for the restoration of peace, ceded "in entire possession, purely and simply, without exception, to His "Catholic Majesty and his Successors, in perpetuity, all the country known under "the name of Louisiana, as well as New Orleans and the island in which that place stands."

In the definitive treaty of peace no mention was made of this separate convention. The seventh article, after describing the limits between the British and French territories on the continent of America continues: "And for this purpose, the most "Christian King cedes in full right, and guarantees to his Britannic Majesty, the "river and port of the Mobile, and everything which he possesses, or ought to "possess, on the left side of the river Mississippi, except the town of New Orleans, "and the island in which it is situated, which shall remain to France," the free navigation of the Mississippi being guaranteed to both nations.

By the 19th article of the treaty the island of Cuba was restored to Spain and Great Britain obtained "Florida, with Fort St. Augustin and the Bay of Pensacola, "as well as all that Spain possesses on the continent of North America to the south-"east of the River Mississippi * * * and that in the most ample manner "and form." By this cession the British dominion in North America, extended, in 1763, from Hudson's Bay to the mouths of the Mississippi. The proclamation issued by His Britannic Majesty dated on the 7th of October, 1763, established four governments over this extensive territory, namely, Quebec, East and West Florida and Grenada, the limits of which were set out in the proclamation.

The possession of Louisiana by Spain gave that power an immense territory, which extended from the Mississippi to the Pacific Ocean. Louisiana itself is described in 1763 as "bounded on the south by the Gulph of Mexico; on the East "by Carolina, and by a part of Canada; on the west by New Mexico and by Canada "on the north. In part it extends, without any assignable bounds to the *Terræ* "*Incognitæ*, adjoining to Hudson's Bay." This was, however, before the cession of Florida, the whole territory on both sides of the Mississippi, between the northern lakes and the Gulph of Mexico, and between the Mexican and Alleghany Mountains,

having been previously included in the term Louisiana, which must be borne in mind, or the close connection between it and Canada cannot be fully understood. Large settlements of Canadians, who had gone to Louisiana, flocked to the Illinois, attracted by reports of its fertility, in spite of the difficulties and hardships they had to confront on their way to what they were led to believe was a Paradise.

The cession of the western part of Louisiana to Spain was kept secret, and the French inhabitants on the eastern side of the Mississippi, which had been transferred to Great Britain, abandoned their lands and moved into what they believed to be still French territory. Many of the Canadians and Acadians prepared to remove to Louisiana until they learned of the transfer to Spain, but the report of the transfer changed their destination. It would be idle to speculate on the change in the condition of affairs on this continent which would have resulted from the migrations to the south of the Canadians and Acadians.

By the fifth article of the treaty of peace in 1783, between Great Britain and Spain, East and West Florida were ceded to the latter power, which again obtained possession of both banks of the Mississippi. It is this which gives importance, in relation to Canadian affairs, to the settlement of Kentucky, an offshoot from Virginia. The navigation of the Mississippi was completely under the control of Spain, and knowing their absolute need of the free use of that river for the exportation of their produce, it was but a step for the inhabitants of Kentucky to believe that it was their right to obtain it, even by force. It is beyond the scope of this report to trace the history of the events connected with the separation of Kentucky from Virginia and its admittance into the American Union as a separate State, or the transactions of Wilkinson, treating directly with Spain for the right to use the Mississippi and for the free admission of the produce of Kentucky into New Orleans, except that by the successful issue of these negotiations the inhabitants of Kentucky were encouraged to proceed more earnestly in the discussion of a policy of separation from the rest of the States, so that they might be able to act as an independent nation. This policy and the belief held by many of the leaders of public opinion in the United States of the political wisdom of a treaty of alliance between Great Britain and the American Republic would, if these views had prevailed, have had the most important results on the affairs of Canada. It was a critical period in the history of the United States, owing to the weakness of the central Government, which had little more than the shadow of control over the individual States, those on the Atlantic being openly hostile to western extension, and there being, so far as can be judged, a general feeling that instead of one there should be at least two powers formed, with a leaning on the part of many towards a monarchy and a spirit of resistance to the payment of taxes imposed by Congress to meet the expenses incurred in the course of the struggle with Great Britain.

The importance of the decision on the part of Kentucky, in regard to her position to the United States, cannot be overlooked in reference to Canada. The dispute arising out of the seizure of British vessels in Nootka Sound, on the North Pacific (see Report on Archives for 1889, p. xxxiv), involved, as a matter of necessity, should a war arise, the whole Spanish dominions in North America, especially Louisiana and the Floridas, as being easily accessible by sea. The attitude of the United States was, therefore, of great interest, and the paramount importance to Kentucky of the free navigation of the Mississippi, which the inhabitants of that

country believed had been sacrificed by the timorous policy of the Federal Government, might have driven that State into an alliance with Great Britain as the most probable solution of the difficulty.

This sketch seems to be a necessary introduction to the reports of the unofficial agent, who was employed in the absence of any resident recognized diplomatic agent from Great Britain to the United States. The American side of part of the conversations reported on is given by several of the leading politicians, whose memoirs have been published, the fullest details being found in the "Works of Alexander Hamilton." As that collection is difficult to obtain, copious extracts are here given, so that a comparison of the two accounts may be made. (For these I am indebted to the kindness of Mr. Worthington C. Ford.) The following communications on the subject were made by Mr. Alexander Hamilton, then Secretary of the Treasury, to the President, General Washington.

MEMORANDUM of the substance of a communication made on Thursday, the eighth of July, 1790, to the subscriber, by Major Beckwith, as by direction of Lord Dorchester.

Major Beckwith began by stating that Lord Dorchester had directed him to make his acknowledgments for the politeness which had been shown in respect to the desire he had intimated to pass by New York in his way to England; adding that the prospect of a war between Greet Britain and Spain would prevent or defer the execution of his intention in that particular. He next proceeded to observe, that Lord Dorchester had been informed of a negotiation commenced on the other side of the water, through the agency of Mr. Morris, mentioning, as the subscriber understood, principally by way of proof of Lord Dorchester's knowledge of the transaction, that Mr. Morris had not produced any regular credentials but merely a letter from the President directed to himself; that some delays had intervened, partly on account of Mr. Morris's absence on a trip to Holland, as was understood; and that it was not improbable these delays and some other circumstances may have impressed Mr. Morris with an idea of backwardness on the part of the British Ministry; that His Lordship, however, had directed him to say that an inference of this sort would not, in his opinion, be well founded, as he had reason to believe that the Cabinet of Great Britain entertained a disposition not only towards a friendly intercourse, but towards an alliance with the United States. Major Beckwith then proceeded to speak of the particular cause of the expected rupture between Spain and Britain, observing it was one in which all commercial nations must be supposed to favour the views of Great Britain. That it was therefore presumed, should a war take place, that the United States would find it to be their interest to take part with Great Britain rather than with Spain.

Major Beckwith concluded with producing a letter signed "Dorchester," which letter contained ideas similar to those he had expressed though in more guarded terms, and without any allusion to instructions from the British Cabinet. This letter, it is now recollected, hints at the non-execution of the treaty of peace on our part.

On the subscriber remarking the circumstance that his letter seemed to speak only the sentiments of His Lordship, Major Beckwith replied, that whatever reasons there might be for that course of proceeding in the present stage of the business, it was to be presumed, that His Lordship knew too well the consequence of such a step, to have taken it without a previous knowledge of the intentions of the Cabinet.

Major Beckwith afterwards mentioned that Lord Dorchester had heard with great concern of some depredations committed by some Indians on our western frontier. That he had wished it to be believed that nothing of this kind had received the least countenance from him. That, on the contrary, he had taken every proper opportunity of inculcating upon the Indians a pacific disposition towards us; and that as soon as he had heard of the outrages lately committed he had sent a message to endeavor to prevent them. That His Lordship had understood that the

Indians alluded to were a banditti, composed chiefly or in a great part of Creeks or Cherokees, over whom he had no influence, intimating at the same time that these tribes were supposed to be in connection with the Spaniards.

He stated, in the next place, that His Lordship had been informed that a Captain Hait, in our service, and a Mr. Nimble, and indeed some persons in the treaty at Fort Harman, had thrown out menaces with regard to the posts on the frontier, and had otherwise held very intemperate language; which, however, His Lordship considered rather as effusions of individual feelings, than as the effects of any instruction from authority.

A. HAMILTON.

July 22, 1790.

On Thursday, the 22nd instant, I had a second interview with Major Beckwith, in which I spoke to him nearly as follows:

I have made the proper use of what you said to me at our last interview.

As to what regards the objects of a general nature mentioned by you, though your authority for the purpose from Lord Dorchester is out of the question, and though I presume from His Lordship's station and character, and the knowledge he appears to have of what is passing on the other side of the water, with regard to Mr. Morris, that the step he has taken through you is conformable to the views of your Cabinet, and not without its sanction; yet you are no doubt sensible that the business presents itself in a shape which does not give the proper authenticity to that fact, and is wholly without formality. You must also be sensible that there is a material difference between your situation and that of Mr. Morris. His credentials, though not formal, proceed from the proper source; yours are neither formal nor authoritative.

This state of things will, of course, operate on what I am going to say on the subject. As to what relates to friendship between Great Britain and the United States, I conceive myself warranted in declaring that there is in the Government of this country a sincere disposition to concur in obviating with candor and fairness all ground of misunderstanding which may now exist in reference to the execution of the late treaty of peace, and in laying the foundation of future good understanding, by establishing liberal terms of commercial intercourse.

As to alliance, this opens a wide field. The thing is susceptible of a vast variety of forms. Tis not possible to judge what would be proper or what could be done, unless points were brought into view. If you are in a condition to mention particulars, it may afford better ground of conversation.

I stopped here for an answer.

Major Beckwith replied, that he could say nothing more precise than he had already done.

That being the case (continued I), I can only say, that the thing is in too general a form to admit of a judgment of what may be eventually admissible or practicable. If the subject shall hereafter present itself to discussion in an authentic and proper shape, I have no doubt we shall be ready to answer freely upon it, and you will naturally conclude that we shall be disposed to pursue whatever shall appear under all circumstances to be our interest, as far as may consist with our honour. At present I would not mean either to raise or repress expectation.

Major Beckwith seemed to admit that as things were circumstanced nothing explicit could be expected, and went on to make some observations, which I understood as having for object to sound whether there existed any connection between Spain and us; and whether the questions with regard to the Mississippi were settled.

Perceiving this, I thought it best to avoid an appearance of mystery, and to declare without hesitation;

"That there was no particular connection between Spain and the United States, within my knowledge, and that it was a matter of public notoriety, that the questions alluded to were still unadjusted."

The rest of our conversation chiefly consisted of assurances on my part, that the menaces which had been mentioned by him as having been thrown out by some individuals with regard to the western posts were unauthorized, proceeding probably from a degree of irritation which the detention of the posts had produced in the minds of many; and of a repetition, on his part, of the assurances which he had before given of Lord Dorchester's disposition to discourage Indian outrages.

Something was said respecting the probable course of military operations in case of a war between Britain and Spain, which Mr. Beckwith supposed would be directed towards South America; alleging, however, that this was mere conjecture on his part. I hinted cautiously our dislike of any enterprise on New Orleans.

A HAMILTON.

Note by A. H.—Mr. Jefferson was privy to this transaction. The views of the Government were to discard suspicion that any engagements with Spain or intentions hostile to Great Britain existed; to leave the ground in other respects vague and open, so as that in case of rupture between Great Britain and Spain the United States ought to be in the best situation to turn it to account, in reference to the disputes between them and Great Britain on the one hand, and Spain on the other.

Hamilton to Washington.

NEW YORK, 30 September, 1790.

SIR,—I had lately a visit from a certain gentleman *, the sole object of which was to make some observations of a delicate nature concerning another gentleman † employed on a particular errand; which, as they were doubtless intended for your ear (and, such as they are, ought to be known to you), it is of course my duty to communicate.

He began (in a manner somewhat embarrassed, which betrayed rather more than he seemed to discover) by telling me that in *different companies* when he had happened to be in this city (a circumstance, by the way, very unlikely) he had heard it mentioned that that *other gentleman* was upon terms of very great intimacy with the representative of a certain Court at the one where he was employed, ‡ and with the head of the party opposed to the minister, ¶ and he proceeded to say that if there were any symptoms of backwardness or coolness in the minister, it had occurred to him that they might possibly be occasioned by such *an intimacy;* that he had no intimation however of this being the case, and that the idea suggested by him was mere matter of conjecture; that he did not even know it was a fact that the intimacy subsisted. But if this should be the case (said he), you will readily imagine that it cannot be calculated to inspire confidence or facilitate free communication. It would not be surprising if a very close connection with the representative of another power should beget doubts and reserves; or if a very familiar intercourse with the head of the opposition should occasion prejudice and distance. Man, after all, is but man; and though the Minister has a great mind, and is as little likely as most men to entertain illiberal distrusts or jealousies; yet there is no saying what might be the effect of such conduct upon him. It is hardly possible not to have some diffidence of those who seem to be very closely united with our political or personal enemies or rivals. At any rate, such an intimacy, if it exists, can do no good, may do some harm.

This, as far as I recollect, was the substance of what he said. My answer was nearly as follows:—

I have never heard a syllable, Sir, about the matter you mention. It appears to me, however, very possible that an intimacy with both the persons you mention may exist; with the first, because the situation of the parties had naturally produced such an intimacy while both were in this country, and to have dropped and

* Beckwith.
† Gouverneur Morris.
‡ Luzerne, the French Minister in London.
¶ Charles James Fox.

avoided it then would not have been without difficulty, on the score of politeness, and would have worn an extraordinary and mysterious aspect. With the last, from the patronage of American affairs which is understood to have been uniformly the part of that gentleman, and, in some degree, from a similarity of dispositions and characters; both brilliant men, men of wit and genius; both fond of the pleasures of society. It is to be hoped that appearances which admit of so easy a solution will not prove an obstacle to anything which mutual interest dictates. It is impossible that there can be anything wrong.

He replied, that he certainly had no idea that there could be anything wrong; but that, as trifles often mar great affairs, he thought it best to impart to me his conjecture, that such use might be made of it as should be thought advisable.

I have the honor to be, &c.

An extract from the "Writings of Thomas Jefferson" (Vol. ix., p. 409), will show the opinions of the Secretary of State on the subjects discussed by Major Beckwith and should be compared with his reports.

Heads of consideration on the conduct we are to observe in the war between Spain and Great Britain, and particularly should the latter attempt the conquest of Louisiana and the Floridas.

The dangers to us, should Great Britain possess herself of those countries:—

She will possess a territory equal to half ours beyond the Mississippi.

She will reduce that half of ours which is on this side of the Mississippi;—by her language, laws, religion, manners, government, commerce, capital;—by the possession of New Orleans, which draws to it the dependence of all the waters of the Mississippi; by the markets she can offer them in the Gulf of Mexico and elsewhere.

She will take from the remaining part of our States the markets they now have for their produce;—by furnishing those markets cheaper with the same articles, tobacco, rice, indigo, bread, lumber, arms, naval stores, furs.

She will then have possessions double the size of ours, as good in soil and climate.

She will encircle us completely, by these possessions on our land-board, and her fleets in our sea-board. Instead of two neighbors balancing each other, we shall have one with more than the strength of both.

Would the prevention of this be worth a war?

Consider our abilities to take part in a war. Our operations would be by land only. How many men should we need to employ?—Their cost? Our resources of taxation and credit equal to this.

Weigh the evil of this new accumulation of debt against the loss of markets, and eternal expense and danger from so over grown a neighbor.

But this is on supposition that France, as well as Spain, shall be engaged in the war; for, with Spain alone, the war would be unsuccessful, and our situation rendered worse.

No need to take a part in the war as yet. We may choose our own time. Delay gives us many chances to avoid it altogether.

In such a choice of objects, Great Britain may not single out Louisiana and the Floridas. She may fail in her attempt on them. France and Spain may recover them.

If all these chances fail, we should have to re-take them. The difference between re-taking and preventing, overbalanced by the benefits of delay. Delay enables us to be better prepared to obtain from the allies a price for our assistance.

Suppose these our ultimate views, what is to be done at this time?

1. As to Spain:—

If she be as sensible as we are, that she cannot save Louisiana and the Floridas, might she not prefer their independence to their subjection to Great Britain? Does not the proposition of the Count d'Estaing furnish us an opening to communicate our ideas on this subject to the Court of France, and through them to that of Madrid?

and our readiness to join them in guaranteeing the independence of those countries? This might save us from a war, if Great Britain respected our weight in a war; and if she does not, the object would place the war on popular ground with us.

2. As to England?—Say to Beckwith,—

That as to a treaty of commerce, we would prefer amicable to adversary arrangements, though the latter would be infallible, and in our own power: that our ideas are, that such a treaty should be founded in perfect reciprocity, and would, therefore, be its own price: that as to an alliance, we can say nothing till its object be shown, and that it is not to be inconsistent with existing engagements: that in the event of a war between Great Britain and Spain, we are disposed to be strictly neutral; that, however, we should view with extreme uneasiness any attempts of either power to seize the possessions of the other on our frontier, as we consider our own safety interested in a due balance between our neighbors. [It might be deemed advantageous to express this latter sentiment, because, if there be any difference of opinion, in their councils, whether to bend their force against North or South America, or the islands (and certainly there is room for difference), and if these opinions be nearly balanced, that balance ought to be determined by the prospect of having an enemy the more or less, according to the object they should select.]

July 12th 1790.

A rought draught of this paper was found among Jefferson's manuscripts, differing in details from the document printed above. That part of it which relates to the communication to be made to Major Beckwith will show to some extent the difference between the draught and the revised version. It is as follows: (See Worthington C, Ford's " Winnowings in American History ").

As to England say to B.

That as to a treaty of commerce we hd never desired it but on terms of perfect reciprocity. That therefore we never thought to give any price for it but itself.

That we had wished for it to avoid giving mutual bounds to the commerce of both nations.

But that we have the measures in our own power which may save us from loss.

That as to the alliance they propose, it would involve us against France and Spain.

And considered even in a moral view, no price could repay such an abandonment of character.

That we are truly disposed to remain strictly neutral. Tho' we must confess y' we shd view in a very serious light attempts to extend themselves along our frontier, and destroy all balance in our neighborhood.

[The latter sentiment it might be advantageous to express, because if there be any difference of op'n in her councils whether to bend their force against North or South America (and certainly there is room for difference) and if these operations be nearly balanced, the possibility of drawing an enemy the more on themselves, might determine the balance].

It has been difficult to obtain information respecting Major George Beckwith, who was the person employed as an unofficial diplomatic agent and whose reports form the large proportion of the documents in Note E. Mr. Worthington C. Ford, who has made a special study of that period in the history of the United States during which Major Beckwith was engaged on his confidential mission, in answer to a request I addressed to him, wrote that he was not a little puzzled himself, but stated that George Beckwith was a son of Major General John Beckwith, of Yorkshire, regarding whom there was a story that he had offered his services to the Americans at the beginning of the Revolutionary War, but the story seems to me to be very doubtful. George, the officer in question, was, according to Mr. Ford, connected with the German troops under Knyphausen in 1779, and in 1781 served under the

Adjutant General de Lancey; that in 1782 he was aide-de-camp to Sir Guy Carleton, and that from that time he was closely attached to Sir Guy. The fact that he was engaged to the southward in New York and the Jerseys is a sufficient reason why none of the documents here throw any light on his personality. The only positive personal notice of him in the papers here is one found among a list of promotions, sent from the War Office to Lord Dorchester, on the 6th day of January, 1796, which contained the following paragraph: "Brevets. Lt. Col. John Despard of 7th Foot, and "George Beckwith of 37th, to be Colonels in the Army, from 21st August, 1795." (Archives. Series C, Vol. 15, p. 82). In the obituary notice in the *Annual Register* for 1823, p. 350,* he is described as the Right Hon. General Sir George Beckwith, G. C. B.; the son of Major General John Beckwith, who commanded the 20th regiment at Minden, and the Brigade of Grenadiers and Highlanders during the Seven Years War, repeatedly receiving the public thanks of Prince Ferdinand of Brunswick, the Commander-in-Chief of the allied army. George Beckwith received an ensign's commission in the 37th Regiment in 1771, and appears to have served with distinction. It will be noticed by the promotion gazetted in 1795, given above, that he was still in the same regiment he had entered with the rank of ensign in 1771. In 1797 he was Governor of Bermuda; in 1804, of St. Vincent, and in 1808 of Barbadoes, with command of the forces in the Windward and Leeward Caribee Islands, and continental provinces in South America. On the 24th February, 1809, he took the island of Martinique and captured Guadaloupe on the 6th of February, 1810. In 1816 he was in command of the troops in Ireland, and died in London on the 20th of March, 1823, in his 70th year, so that he was about eighteen years old when he joined the 37th Regiment as an ensign.

It is clear from the reports of Mr. Hamilton, and the memorandum of Mr. Jefferson, that Major Beckwith was regarded as a real, although an unofficial, diplomatic agent, acting on behalf of the British Government, so that it is somewhat singular that no record of his mission has been preserved at Washington. Mr. Haswell, who is the chief in charge of the Indexes and Records of the Department of State there, writes to Mr. Ford, that he had made a thorough search and could find nothing respecting Colonel George Beckwith, and that no one there knew of him.

If he is the gentleman spoken of, but not named, by Mr. Nepean, in his letter to Lord Dorchester, dated at Whitehall, 31st March, 1787 (Note E. p. 97), and the author of "certain communications" enclosed by Lord Dorchester to Lord Sydney on the 10th of April following, as seems, if not certain, at least in the highest degree probable, it would set at rest the question as to whether he was authorised by the British Government, or was engaged by Lord Dorchester on his own responsibility, the latter being a supposition that does not seem tenable.

In the communications, no names are given of the persons with whom the conversations were held, only numbers being used. A key forwarded by Beckwith gives the names. These were:

1. Doctor Johnson, a member of the Senate of Connecticut.
2. Major General Schuyler, a member of the Senate of New York.
3. General Washington.
4. A gentleman in office of the United States.
5. Lieutenant Colonel Turnbull.
6. Mr. Smith, of New York.

7. Mr. Hamilton, who is at the head of the Treasury and Finance.

8. Mr. Hay, Judge of the Common Pleas for the County of Plattsburg, in the State of New York.

9. Mr. Payne, of Chimney Point in Vermont.

10. Mr. Patterson, a member of the Senate.

11. Mr. McCormick, a merchant at New York.

12. Mr. Jay, Chief Justice.

13. Mr. Telfair, a merchant of Great Britain.

14. Mr. Scott, a member of the House of Representatives, from the counties of Pennsylvania, west of the Alleghany Mountains.

15. Mr. Ogden of New Jersey.

16. Mr. Taylor, Sheriff of the County of Clinton, in the State of New York.

17. Mr. Ames, a representative from Massachusetts, who as a speaker is considered to be a rival of Mr. Madison.

18. Mr. Richard Henry Lee, a Senator from Virginia.

19. Colonel Alexander McGillivray.

20. Mr. Isaac Sherman, holding, or having held, an appointment under Congress of Surveyor on the part of Connecticut, and having commanded a regiment in the army of the United States.

21. Colonel Humphreys, aide-de-camp to General Washington during the war, and Secretary for the French Embassy after the peace, since which he has in general lived in the President's family.

22. Mr. Knox, brother to the Secretary at War, appointed Consul for the port of Dublin.

23. Mr. Gouverneur Morris.

At pages 154 and 155 (Note E) a conversation is reported between Major Beckwith and No. 19 (that is, according to the key, Colonel Alexander McGillivray) respecting a person calling himself Colonel Boles. (Bowles). In 1801 this same Bowles assumed the title of " Director General of the Muscogee Nation " and was addressed as " His Excellency." His pretention to that title was disowned by the British Government ; he died in prison in 1804, having been taken by the Spaniards on two occasions, his attacks by the Indians he led having caused much destruction to their settlements. It is stated in his biographies that he married one of the Creek Indians and joined that tribe. McGillivray in his conversation with Beckwith, referred to, said that when he required the assistance of men of military experience in critical situations he employed Bowles among others, but finding how extravagant were the views he held, he had withdrawn confidence in him, but that he had " continued (contrived ?) to get some of the Cherokees into his notions, " and persuaded them to go with him to the Bahama Islands, where Lord Dunmore " saw them and persuaded them to go to the northward."

In the State Papers (Q.45-2, p. 535 and onwards), is a correspondence respecting the mission of Bowles and his party of Cherokees, on their arrival at Quebec from the Bahamas. The sum of Lord Dorchester's letter to Mr. Grenville respecting the deputation, which His Lordship had tried in vain to dissuade from going to London is in the last paragraphs of the letter. These add another evidence of the wide spread effects of the dispute with Spain respecting the territories on the coast of the Northern Pacific, and show how closely linked were the events that at that

time connected affairs in Canada with those in the Southern possessions of Spain. Lord Dorchester says :

Their chief object for the present seems to be a sufficient supply of arms and ammunition to defend themselves against the encroachments of the States, and the oppression of Spain, to which they conceive their numbers to be adequate had they military stores.

There is ground to suppose that they would think themselves happy to be again under the protection of Great Britain, and that they would readily assist in any operations to dispossess the Spaniards of the Floridas and Louisiana.

Their resentment against the States, arising from injudicious encroachments upon their territory, might be appeased by ensuring them a more liberal treatment under the King's protection. (Q. 45-2, p. 537).

The letters from Bowles, the proceedings of the Councils of the Creeks and Cherokees, &c., follow, and need not be recapitulated. Early in November, the deputation arrived in London, and presented their memorial to Lord Grenville. On the 7th of March following (1791) Lord Grenville wrote to Lord Dorchester, reporting their arrival and stating the reception they met with, in the following terms : "Such of their requests as related to views of hostility against the United States "have met with no kind of encouragement, but they will in some degree be gratified "in their wish of intercourse with the British Dominions by an admission to the "free posts in His Majesty's West Indian Islands, supposing that they should find "themselves in a situation to avail themselves of this indulgence."

McGillivray, the Chief of the Creeks, was a son of a Scotch trader who had married a Creek woman. He received a thorough education in Great Britain, and this, with his natural talents, enabled him to take a much more prudent course than was usual among the Indians. By his influence he restrained his tribe from acts of cruelty, which he was well aware could only result in a war of extermination. He was himself engaged in commercial pursuits, being connected with a firm of London merchants, and appears to have acted with great wisdom and policy in conducting the affairs of his tribe. (See Beckwith's letter of 7th April, 1790, Q. 49, p. 283).

The whole respectfully submitted.

DOUGLAS BRYMNER,
Archivist.

OTTAWA, 31st December, 1890.

List of Books, &c., presented, with the names of the givers.

Names.	Residence.	Works.
Adams, H. C.	Washington	Railway Statistics, U. S.
Ami, Henry M.	Ottawa	Geological pamphlet.
Bell, Dr. Robert	do	Collection of MS.
Biggar, E. B.	Montreal	Textile directory.
Brymner, Alexander	Edinburgh, Scotland	Letters respecting the War of 1812.
Buffalo Library	Buffalo	Report.
Cayuga County Historical Society	Auburn, N.Y	Transactions.
Charlton, John	Lyndoch, Ont.	Pamphlets.
Civil Engineers, Canadian Society of.	Montreal	Transactions.
Cornell University	Ithaca, N.Y.	Register.
Dawson, Dr. Geo. M.	Ottawa	Lord Dufferin's reception at Victoria, B.C.
Drummond, Rev. L., S.J.	Montreal	Pamphlets.
Ferrier, James	do	Chronicles of the Methodist Church.
Geological Survey	Ottawa	Reports, &c.
Hind, H. Y.	Windsor, N.S	Old burying ground of Windsor.
Historical Manuscripts Commission	London	Reports and appendices.
Howe, Jonas	St. John, N.B.	Pamphlet.
Huot, Lucien	Montreal	Siege of St. John's in 1775 (E. & F.)
Hallam, John	Toronto	Pamphlet.
Institut Canadien	Quebec	Annuaire.
Jones, Rev. A. E., S.J.	Montreal	MS. Orderly book of Capt. Viger.
Kingsford, W., LL.D.	Ottawa	Pamphlets.
Laroque, Dr. G.	Montreal	Manuel d'Horticulture.
McGill University	do	Calendar.
Manitoba, Attorney-General of	Winnipeg	Collection of Statutes, &c.
Marceau, Ernest	Ottawa	Collection of MS.
Master of the Rolls.	London	Reports of the Public Record Office.
Matheson, David	Ottawa	Collection of pamphlets.
Milwaukee Public Library.	Milwaukee	Reports.
Neill, Dr. E. D.	St. Paul, Minn.	Historical collection.
Newberry Library	Chicago	Reports.
Powell, Col. Walker.	Ottawa	Pamphlet.
Roy, J. Edouard	do	L'Ordre de Malte en Amerique.
Walsh, John	do	Collection.
Winsor, Justin	Harvard College	Historical works.
Wisconsin State Historical Society.	Madison	Transactions.
Yale University	New Haven, Conn	Reports.

NOTE A.

ADMINISTRATION OF JUSTICE.

No. 1.—SIR GUY CARLETON TO LORD HILLSBOROUGH.

(*Canadian Archives, Series Q, No. 7, page 7.*)

QUEBEC 28th March 1770

MY LORD !

Herewith inclosed, I transmit to your Lordship an Ordinance, just published to correct the ill consequences of the clause therein repealed, and to put an end to the improper and oppressive use made thereof in some Parts of this Province, a measure become so necessary to the Ease and Happiness of the People, and in the end to the King's Interests, that it would have been highly injudicious to have either delayed or suspended their Relief any longer.

Your Lordship has been already informed that the Protestants, who have settled or rather sojourned here since the Conquest, are composed only of Traders, disbanded Soldiers, and officers, the latter one or two excepted, below the Rank of Captain; of those in the Commission of the Peace, such as prospered in Business, could not give up their Time to sit as Judges, and when several from aceidents and ill Judged undertakings, became Bankrupts, they naturally sought to repair their broken Fortunes at the expense of the People; Hence a variety of Schemes to increase the Business and their own Emoluments, Bailiffs. of their own creation, mostly French soldiers, either disbanded or Deserters, dispersed through the Parishes with blank Citations, catching at every little Feud or Dissension among the People, exciting them on to their Ruin, and in a manner forcing them to litigate, what, if left to themselves, might have been easily accommodated, putting them to extravagant Costs for the Recovery of very small sums, their Lands, at a time there is the greatest scarcity of money, and consequently but few Purchasers, exposed to hasty sales for Payment of the most trifling Debts, and the money arising from these sales consumed in exhorbitant Fees, whils the Creditors reap little Benefit from the Destruction of their unfortunate Debtors; This, my Lord, is but a very faint sketch of the Distresses of the Canadians, and the cause of much Reproach to our national Justice, and the King's Government.

In my last Tour through the Country, the outcry of the People was general, the inclosed copy of a Letter I received, at my return to this Place, from a very sensible old Captain of the Militia, is exactly the Language of all I met in this Progress, and some recent instances could be brought of their Resistance to Officers of Justice, acting illegally indeed, a strong symptom among many others of their Patience being near exhausted.

But among other Reasons, besides the foregoing, (which I am apt to believe, your Lordship will, however, think fully sufficient) that might be alledged for the Expediency of reducing the Justices of the Peace to nearly the same Power, they have in England, and of reviving Part of the ancient mode of administering Justice in this Province, there was one, which had due weight, and that was the confusion arising from so many different Jurisdictions, all acting upon different Ideas and Notions, to the great Perplexity of the honest Part of His Majesty's new Subjects, and of which the cunning and ill designing among them did not neglect to make their advantage; and if your Lordship only considers, that the new Residents here,

since the Conquest came not only from all Parts of the King's extensive Dominions, but from all Parts of the World beside, there is no great Reason to wonder at that variety of sentiment in Regard to what is right or wrong, and that in general being men of no great Learning, or extraordinary abilities, they should conform their notions of Justice, to what they had formerly seen practiced, rather than to the present circumstances of things in this Province.

By the present Plan, it is intended, that the King's Judges, paid by the Crown, may in future chiefly, if not altogether, take cognizance of matters of Property, which of course, will produce a greater uniformity in the Administration of Justice, and as these Gentlemen enjoy Salaries, it will be more incumbent upon them, in point of Interest, as well as for their Honor and Reputation, to give Satisfaction to the Publick, than it ever can be upon those, who for their daily subsistence depend meerly upon the Emolument of Office, which it will consequently ever be their Interest to enhance.

No. 2.—LETTRE D'UN ANCIEN CAPITAINE DE MILICE.

(*Archives canadiennes, série Q., vol.* 7, *page* 55).

(*Original.*)

D'YAMASKA, le 3 juillet 1769.

MONSEIGNEUR,—Je supplie tres respectueusement votre Excellence d'agréer la liberté que je prend de lui faire mes humbles representations, sur le sujet que j'ai déja Eû l'honneur de lui communiquer sur les affaires qui dépendent principalement de la justice ; Il servit un bien de la derniere consequence qu'il plut a votre Excellence de prendre connoissance de la maniere d'agir des personnes etabli pour administrer les décisions qui se présente journellement dans les procés mal tentés au préjudice de tout le pauvre peuple qui se trouve accablé et ruiné totalement par les injustices qui lui sont faites ; on ne voit tous les jours que procés sur procés, pour des choses de néant, pour vingt ou trente sols on forme un procés qui se monte le plus souvent a 40, 50 et 60 livres, par la multitude de frais qui sont fait a ces pauvres gens, par le moyen des sergents d'ordres qui sont établie par l'autorité de Messieurs les juges de paix ; cet sergents la, Monseigneur, sont des agresseurs de procés trés injustes, ils subornent le pauvre peuple qui n'en sçait pas plus long, a faire donner des ordres les uns aux autres, qu'ils ont toutes preste sur eux en blanc, dont il n'y a que les noms du demandeur et du deffendeur a ajouter et le quantieme du jour de la composition, ainsi j'en envoye une par curiosité a Votre Excellence, pour en juger ce qu'Elle lui plaira ; il arrive trés souvent qu'une même personne a plusieurs ordres a répondre a differentes cours pour le même jour, et comme c'est une chose impossible que cela se puisse faire, on les condamnes tout de suite par deffaut; Ensuitte de quoi, les Sergents d'ordre saisissent. enlevent, vendent tout ce que ces pauvres gens peuvent avoir chez eux, le tout donné a moitié prix et même au quart de la juste valeur des effets enlevés ; il arrive très souvent, que lorsque ces prétendus sergents vont faire leur saisie aux maisons, s'il n'y a personne et que les portes soient fermés ils font fraction pour entrer dans les dites maisons, Ce qui représente des vols manifeste, et reduisent les pauvres habitants a la derniere mendicité, si les effets saisies et enlevées ne sont pas sufisant pour atteindre à payer les sommes qu'on exige d'eux par la multitude des frais qu'on leur a fait tant pour le transport des voyages des Sergents, qu'autrement, on obtient des prises de corps contre eux apres les avoir dépouillés de tout ce qu'il pouvoient avoir et posseder au monde, tant meubles que leurs Bestiaux ; ils se nentissent à la fin de leur personne pour achever leur tirannie, je n'aurois jamais fini Monseigneur de vous faire le récit de la triste

This new Disposition will indeed occasion some additional Expence to Government, untill a Provincial Revenue can be settled, as another Judge must of course be appointed, and that on account of the circuits they are hence forward to take within their respective Districts, both for the sake of administering Justice, and to see that nothing Detrimental to the King's Interests is carrying on among the People, I have thought proper to make an addition of fifty Pounds a year to each of those already established.

I am with much Respect and Esteem,
Your Lordship's most obedient and
Most Humble Servant,
GUY CARLETON.

The Earl of Hillsborough,
One of His Majesty's principal Secretarys of State.

LETTER FROM AN EX-CAPTAIN OF MILITIA.

(*Canadian Archives, Series Q., Vol. 7, page 55.*)

(*Translation.*)

YAMASKA, 3rd July, 1769.

MY LORD,

I very respectfully beg Your Excellency to pardon the liberty I take in making my humble representations on the subject I have already had the honour to communicate respecting the affairs chiefly depending on the administration of justice. It would be a benefit of the greatest consequence should it please Your Excellency to take cognisance of the manner in which persons act who are commissioned to carry out the decisions daily given in unfounded suits to the prejudice of this poor people, oppressed and totally ruined by acts of injustice. Every day may be seen only suit upon suit for nothing; for twenty or thirty sous suits are entered, which usually mount up to 40, 50 and 60 livres, owing to the multitude of expenses heaped on these poor people by the bailiffs appointed by the authority of the justices of the peace. These bailiffs are instigators of unjust suits; they entice the poor people who know nothing of the matter to get writs against each other; these writs the bailiffs carry in blank, which require only the addition of the names of the plaintiff and defendant and the date of the appearance. I send one as a curiosity for Your Excellency to judge of it. It often happens that a single person has several citations to answer at different courts on the same day, and as it is impossible that he can do so, he is at once condemned by default. Thereupon the bailiffs seize, carry off and sell everything these poor people may be possessed of, the whole being disposed of at a half and even at a fourth of the real value. Frequently, when these alleged bailiffs go to make a seizure, should there be no one in the house and the doors locked, they break them open to get in; these are manifest robberies which reduce the poor peasant to the lowest beggary. If the goods seized and carried off are not sufficient to discharge the multitude of costs laid on for the travelling charges of the bailiffs and otherwise, a warrant of imprisonment is obtained, and thus after having been robbed of all they have and possess in the world, their furniture as well as their cattle, their persons are finally laid hold of as a guarantee that the tyranny may be complete. I would never finish were I to attempt

situation dans laquelle sont plongés ces pauvres gens. La crainte d'interrompre le silence de Votre Excellence par un trop long discour a ce sujet m'oblige de finir sur ce point.

Au sujet de nos Baillifs, il semble qu'il seroit plus a propos qu'ils fussent changés tous les ans au jour de leur nomination, et que chaque année il y en eut un nouveau censé premier baillif, d'autant que celui qui occupe cette place seulement deux ans de suite, s'attribue trop de gloire et d'autorité, se croit au dessus de tout ce qui cause fort souvent de trés mauvaises suittes, au contraire si un chacun L'Etoit a son tour, Les choses seroient dans un autre ordre et sçituation, et ceux qui seroient en place cette année s'appliquent a faire leur devoir du mieux qui leur seroit possible ; Je suplie votre Excellence de faire s'il lui plait attention a mon exposé, comme de vous rendre sensible aux Tribulations de ce pauvre peuple affligé, qui est tres doux, Laquel j'ai conduit pendant L'Espace de vingt cinq a vingt six ans en qualité de capitaine et de juge tres souvent, par les injustices qui lui sont faites journellement et des quelles il ne peut être delivré que par un pur effet de la bien veillance et charité paternelle de votre Excellence, employant en cette occasion votre autorité et esquitable justice, a laquelle il est tres respectueusement soumis ainsi qu'a L'honneur de vos ordres, j'osoit me flatter d'avoir L'honneur d'aller faire la reverence a Votre Excellence et L'assurer de mes plus profonds respects et soumissions, mais j'ai été privé de cette grande satisfaction n'ayant sçû votre arrivée a Maska que longtemps apres que votre Excellence en a été partie, attendant L'honneur de vos ordres je suis avec le plus profond respect, monseigneur, votre très humble et tres obeissant serviteur,

JOSEPH DÉROSIE, père
Cy devant capitaine de milice.

Copie de l'ordre, en blanc.

District de Montreal. } En vertu de L'ordre signé par Samuel Mather Ecuyer juge de paix en } datte le

Demandeur.

Deffendeur.

Je Baillif soussigné certifie m'être expres transporté dans le domicile du deffendeur parlant à sa personne a fin qu'il n'en ignore, qu'il doit paroitre devant mon dit Sieur Mather le Courant pour répondre a la demande du demandeur.

C La datte 1768.

Signé LATOUR Baillif.

giving the whole story of the sad situation in which these poor people are placed. The fear of breaking in upon Your Excellency's retirement by too long a dissertation on this subject obliges me to finish on this point.

Regarding our bailiffs, it would seem to be more reasonable that they should be changed every year, from the date of their nomination; that one should then be chosen to be called first bailiff; inasmuch as the man who occupies that place, if only for two successive years, assumes too much glory and authority, believing himself above everybody, which is often productive of very bad effects. On the other hand, if each took it in turn, things would be in another order and situation, as those holding office for this one year would endeavour to do their duty as well as possible. I would call Your Excellency's attention to my statement, that you may become aware of the troubles of this poor afflicted people, who are very tractable and whom I have guided for the space of twenty-five to twenty-six years, as captain and very often as judge. From the injustice daily done to them, they can only be delivered by Your Excellency's benevolence and paternal charity, employing on this occasion your authority and equitable justice, to which they are respectfully submissive, as they are to do honour to your orders. I had flattered myself that I would have had the honour of doing reverence to Your Excellency and of assuring you of my most profound respect, but was deprived of this great satisfaction by not having known of your arrival at Maska until long after Your Excellency had left. Awaiting the honour of your orders, I am, with the most profound respect, My Lord,

Your very humble and very obedient servant,

JOSEPH DÉROSIE, Sen.,
Formerly Captain of Militia.

Copy of Blank Warrant.

District of Montreal } By virtue of the order signed by Samuel Mather, Esquire, Justice of Peace, dated

Plaintiff.

Defendant.

I, the undersigned bailiff certify that I expressly went to the domicile of the defendant, speaking to him in person, in order that he might not be ignorant that he was to appear before the said Mr. Mather on the current on the demand of the plaintiff.

(Date), 1768.
Signed LATOUR Bailiff.

No. 3.—THE REPORT OF THE COMMITTEE ON THE ADMINISTRATION OF JUSTICE BY THE JUSTICES OF PEACE.

(*Canadian Archives, Series Q, Vol. 6, page 147.*)

PRESENT:

His Excellency Guy Carleton, Governor

The Honble. Willliam Hey, C.J.
H. T. Cramahé
Thomas Dunn
Walter Murray
Colin Drummond
} Esquires.

Read the Report of the Committee dated the 29th August and 11th instant, appointed the 18th of August last to take into consideration the present State of the Administration of Justice by the Justices of the Peace within this Province.

Approved and ordered to be entered in this Book, and that the Attorney General be directed to prepare an Ordinance in consequence of the New Regulations proposed to be made by the said Report.

The Report, viz:

QUEBEC, 29th August and 11th September, 1769.

"At a Committee appointed to take into consideration the State of the Administration of Justice under the Justices of Peace in this Province—

"PRESENT:

"The Honble. William Hey President
"H. T. Cramahé
"Thomas Dunn
"Colin Drummond
} Esquires.

"Who agreed upon the following Report.

"In obedience to an order of Council bearing date the 18th day of August last. We have taken into our consideration the several matters therein referred, in consequence of which we beg leave to represent to your Excellency and the Council, that the several authorities & powers of the Justices of Peace in matters of property as contained in the Ordinance of September 1764, appear to us to have been very injudicious in their Original Institutions, and in the exercise of them, more particularly within the District of Montreal exceedingly grievous and oppressive to the subject. It is well known that in England, where the Justices of Peace are for the most part men of large Fortunes, who have a considerable interest in common with the people over whom their Authority is exercised, no such power is entrusted to them either by the commission itself, or any of the various Acts of Parliament which relate to their office; and tho' the ill advised construction of the great Courts established here for the determination of property in the year 1764 confined originally in their Session to two Terms in the year and only now enlarged to three, might have made it necessary to create smaller jurisdictions in order to conform in some measure to the ancient practice of the Colony, and to give a freer and quicker circulation to the course of Justice yet we apprehend that even under those circumstances, the Authority given to the Justices hath been both too largely and too confidently entrusted, and requires to be retrenched, if not wholly taken away in almost every Instance.

"But that is not all; what is still more unfortunate; we find even those powers large as they are, to have been in some instances extended, and a jurisdiction usurped to the great prejudice of the parties whose property has been the subject of it, without any right (as we conceive) to interpose in such matters, as derived from that Ordinance, or any other authority that has yet come to our knowledge; for by the ill penning of that Ordinance, and for want of a Clause which should have expressly

forbid them to intermeddle in those matters, the Justices of Montreal have to our knowledge in one Instance, and probably in many others which have passed without notice, assumed to themselves powers of a nature not fit to be exercised by any Summary Jurisdiction whatsoever in consequence of which Titles to Land have been determined & possessions disturbed in a way unknown to the Laws of England and inconsistent with the Solemnity and Deliberation which is due to matters of so high and important a nature. And we are not without Information that even in cases where personal property only has been in dispute, one Magistrate in particular under pretence that it was at the desire & request of both the contending parties, has by himself exercised a Jurisdiction considerably beyond what the Ordinance has allowed to three Justices in full Court even at their Quarter Sessions.

"From an Omission of a Similar nature and for want of ascertaining the manner in which their judgements were to be enforced, we find the Magistrates to have assumed another very high and dangerous Authority, in the exercise of which the gaols are constantly filled with numbers of unhappy objects, and whole families reduced to beggary and ruin. It being a common practice and the usual method of their process to take Lands in Execution and order them to be sold for the payment of ever so small a debt, or in case there are no Lands to satisfy the debt to commit the party to prison the sad consequences whereof, and wretched servitude to which a people are reduced whose persons and property are thus exposed, we believe we need not enlarge upon this further, than to observe that the rapid sale of Estates under Judgements out of the Common Pleas or even the Supreme Court itself seems to be within the same mischief and to require some effectual tho' perhaps a different remedy.

"If anything could yet be wanting to complete the misery of such a People it would be the consideration that those powers originally calculated for the ease of the Suitor and to facilitate the course of justice should become the very Instrument of his oppression and ruin, and instead of affording a cheap and expeditious remedy for the recovery of small Debts should either direct or connive at such a complicated and expensive mode of Process, as (if we may collect from one instance where the Expense of suing for a debt of Eleven Livres amounted to Eighty-four) must either deter the creditor from pursuing a just tho' small debt, or, ruin himself or his adversary and perhaps both in the pursuit of it, which will probably always be the case where the office of a Justice of Peace is considered as a Lucrative one and must infallibly be so where it is his principal if not only dependence.

"In Justice however to the Magistrates of this District we ought to Declare that these observations are not designed to extend to them.

"For these and many other reasons which we are tender of enlarging upon, we conceive it to be high time to put a stop to this unequal, wasteful, and oppressive mode of administering Justice. And to substitute some other in its place, more conformable to the system which formerly prevailed here, and less liable to the objections which so manifestly accompany this both in its Institution & Practice. And for that purpose we recommend it to your Excellency in the first place to appoint another Judge for the Court of Common Pleas at Montreal, and, as a compensation for the Extraordinary duty which will be required, that their salaries may be made £200 per annum; and

"2dly, that an Ordinance should be immediately prepared, which, after setting forth in a Preamble some or all of the Grievances, here mentioned, and the good Disposition in Government to attend to and redress the Injuries complained of by the subject as soon as they are made known to them, should abrogate and annull all that part of the Ordinance of 1764, which gives authority to the Justices of Peace to determine matters of Civil property in any shape or manner whatsoever, and expressly define their power to be barely such as the Commission itself warrants, and the Ordinances of this Province (except that of September, 1764) has entrusted to them.

"It should then, after reciting the reasons, namely, to prevent a failure of Justice and to supply a Quick and Competent Jurisdiction in matters of small value not at

present cognizable in either of the great Courts, give the Court of Common Pleas a Jurisdiction, which at present it has not, to hold plea in all matters however trifling the demand may be, and direct that both Courts should sit in Quebec and Montreal once in every week (seed and Harvest time and a fortnight at Easter and Christmas excepted) thro' out the year. But that for all matters under the sum of Ten pounds, one Judge only need be present.

"In the latter case their process should be by summons, and in all Executions where the debt and costs does not amount to Ten pounds Halifax Currency no *Capias ad satisfaciendum* to arrest or detain the body should issue, but a *fieri facias* against the Goods and Chattels only (with an Express exception to Beasts of the Plow), unless the Party chooses that his Land should be sold, in which case he should sign upon the back of the Process his consent and request for that purpose. It might not be amiss too to give the Judges a power to levy the debt where it was under Ten pounds by instalments, for it often happens that a Debtor is exceedingly distressed to pay tho' but a moderate sum, and upon the instant of demand, which yet by his Industry or by some event near taking place, but which he cannot anticipate, he might pay with ease to himself at given times. Upon an affidavit of this sort we think they be allowed to mark upon the writ *to be levied by Instalments.* 20 Shs on such a day, 20 at such other, and the remainder at such other.

"But these times ought to have some Limitation and perhaps should not exceed 3 months for the last payment.

"If the Judge has reason to suspect that the party secretes his Effects or has disposed of them after the commencement of the suit in order to avoid their being taken in Execution, he should be at Liberty to issue Process against the Lands immediately, and for want of them to commit to Prison till the Debt is satisfied. The truth of which should be examined upon Affidavits. In all other matters, where the debt or Demand is above the value of 10 pounds, they should proceed as usual, except that where lands are taken in Execution, they should be made subject to the debt or demand immediately from the day of the date of the Writ, and avoid all subsequent Sales and Mortgages or any other disposition or Incumbrance of them, but not absolutely sold for six months, after several Publications in the Gazette, and notice affixed at the Church door of the Parish in which the Lands lye and other Neighbouring Parishes, nor should the sale even then be good till a Report was made to one of the Judges of the Court of the quantity and produce and condition of the Lands with the amount of the Purchase Money and the sale confirmed by him.

"It is difficult if not impossible exactly to ascertain the Quantum of Expence in recovering these small Debts, but we recommend it to the Gentlemen who preside in these Courts to reduce it as much as possible, and we have no doubt but they will give a proper attention to a matter so interesting to the Honour of the Crown and the convenience and ease of the Subject.

"The Administration of Justice in causes of small consequence we apprehend will be tolerably well provided for in the Towns of Quebec and Montreal, upon this Establishment more especially if there be added (as perhaps may be necessary, at least convenient) one officer of Justice in each, who might decide in all causes to the value of Fifty shillings current money, and enforce his decision by distress and sale of the Defendants goods only.

"These officers to be appointed by your Excellency, by special Commission, independant of the General Commission of the Peace (tho' it would be advisable for them to have both. in the nature of the Intendants sub deliquis they may perhaps be well appointed by Virtue of the Powers given to Your Excellency in your Commission, but we rather recommend it to be done by an Ordinance.

"And you should be impowered to appoint more of these officers in different parts of the Province as the circumstances and situation of things may require, and as in your discretion they may appear to be necessary whose jurisdiction might be at least equal to what was given to a single Magistrate under the Ordinance of September 1764.

"These are the observations that have occurred to us upon this subject: We believe the regulations here proposed will be found to be salutary, and meet the Grievances at present so loudly and so justly complained of, and we accordingly recommend them to be immediately carried into Execution.

"One observation however has escaped us, which we beg leave to add, with Regard to the Assize of Bread which by an Ordinance of this Province bearing date the 3d of September 1764, is directed to be regulated by 3 Justices of the Peace; and tho' this Jurisdiction will still be preserved to the Justices, yet we are apprehensive that they will be indisposed to exercise it, if they should resent the Diminution of their Authority which the Regulations we have proposed are designed to make. That Authority therefore very usefull and necessary to the publick should be transferred in case of their neglect to the two Judges of the Common Pleas and the Justice who has a Commission in small matters in the way that we have recommended."

W. HEY, P.

NOTE B.

CONSTITUTIONAL ACT OF 1791.

No. 1.—RIGHT HON. W. W. GRENVILLE TO LORD DORCHESTER.

(*Canadian Archives, Series Q., Vol. 42, p. 92.*)

(*Private and Secret.*)

WHITEHALL, 20th Oct., 1789.

MY LORD,—The public dispatches of this date will inform your Lordship of the intention of His Majesty's servants with respect to the plan to be proposed in Parliament for altering the present Constitution of Canada. I feel that it is due to your Lordship, that I should inform you of the grounds on which this resolution has been adopted, in a more particular manner than the nature of a public dispatch appears to admit; and for that purpose I enclose to your Lordship in confidence, a paper containing the heads of those suggestions on which the present measures are founded. I am persuaded that it is a point of true Policy to make these Concessions at a time when they may be received as matter of favour, and when it is in Our own power to regulate and direct the manner of applying them, rather than to wait till they shall be extorted from us by a necessity which shall neither leave us any discretion in the form, nor any merit in the substance of what We give.

I am ignorant how far your Lordship's opinion coincides with the ideas stated in the enclosed paper. One point, I observe, and have alluded to in my public letter, on which you have stated Objections, but I think they are such as apply to the present state of the Province, rather than to what it would be under a different form of Government.

With regard to the remainder, it would certainly give me great satisfaction if I could find the opinions which I entertain confirmed by your Lordship's experience and knowledge of the Subject.

But, in all events, I have not the smallest doubt of your Lordship's wish to cooperate in carrying into execution, in the most advantageous manner, that Plan which Parliament shall ultimately adopt, on a subject which has been so long before them, and I trust you will see the importance in this point of view, of your delaying your visit to this Country, till after the new Government shall have been put in motion.

There is one subject adverted to in the paper which I now enclose, of which no mention is made either in the Bill now transmitted to your Lordship, or in the dispatch which accompanies it. What I mean is, the suggestion relative to the possibility of making such reservations of land adjacent to all future Grants, as may secure to the Crown a certain and improving Revenue. A measure, which if it had been adopted when the Old Colonies were first settled, would have retained them to this hour in obedience and Loyalty. I confess that I am very particularly anxious to find myself sufficiently informed to be able to recommend to His Majesty, the adoption of some system of this nature, in His remaining Colonies, and I should therefore feel myself obliged to your Lordship, if you would consider it with attention, and state to me your sentiments both as to the general principle and as to the best mode of carrying it into effect, in the different Provinces under the King's Government in North America.

Your Lordship will perceive by the different accounts which you will receive from Europe, that the state of France is such, as gives Us little to fear from that quarter in the present moment. The opportunity is therefore most favourable for the adoption of such measures as may tend to consolidate Our strength, and increase our resources, so as to enable Ourselves to meet any efforts that the most favourable event of the present troubles can ever enable her to make.

I am, &c., &c.,
W. W. GRENVILLE.

No. 2.—MR. GRENVILLE TO LORD DORCHESTER.

(*Canadian Archives, Series Q., Vol.* 42, *p.* 96.)

WHITEHALL, 20th Oct., 1789.

MY LORD,—It having been determined to bring under the consideration of Parliament early in the next Session the propriety of making further provision for the good government of the Province of Quebec, I enclose to your Lordship the draught of a Bill prepared for this purpose.

His Majesty's Servants are desirous before this Plan shall be proposed to Parliament, to avail themselves of such observations upon it as your Lorship's experience and local knowledge may suggest. It is probable that Parliament may not meet till towards the end of January next, and that there will therefore be full time for me to receive your Lordship's answer to this dispatch with such remarks as may occur to you on the proposed Bill, and with such information as may be necessary to enable me to supply those particulars of detail which are now left in blank.

Your Lordship will observe that the general object of this Plan is to assimilate the constitution of that Province to that of Great Britain, as nearly as the difference arising from the manners of the People and from the present situation of the Province will admit.

In doing this a considerable degree of attention is due to the prejudices and habits of the French Inhabitants who compose so large a proportion of the community and every degree of caution should be used to continue to them the enjoyment of those civil and religious Rights which were secured to them by Capitulation of the Province, or have since been granted by the liberal and enlightened spirit of the British Government.

This consideration has had a great degree of weight in the adoption of the plan of dividing the Province of Quebec into two Districts, which are to remain as at present under the administration of a Governor General, but are each to have a Lieut. Governor and a separate Legislature.

The King's Servants have not overlooked the reasons urged by your Lordship against such a separation, and they feel that while Canada remained under its present form of Government great weight would have been due to those suggestions; but when the resolution was taken of establishing a Provincial Legislature, to be constituted in the manner now proposed and to be chosen in part by the People every consideration of policy seemed to render it desirable that the great preponderance possessed in the Upper Districts by the King's antient Subjects; and in the lower by the French Canadians should have this effect and operation in separate Legislatures; rather than that these two bodies of People should be blended together in the first formation of the new Constitution, and before sufficient time has been allowed for the removal of antient prejudices, by the habit of obedience to the same Government, and by the sense of a Common interest.

With respect to the intended Boundaries of these Provinces a blank is left in the Bill in order that your Lordship may, with the assistance of the Surveyor General, who is now in Quebec, consider of such a description of those Boundaries as may be sufficiently intelligible and certain, so as to leave no room for future difficulties on that Subject. The division between the two Provinces is meant to be the same as

is mentioned to Your Lordship in Lord Sydney's letter of 3rd Sept., 1788, with the alteration suggested by your Lordship in your Letter of the 8th November following.

There will however be a considerable difficulty in the mode of describing the Boundary between the District of Upper Canada and the Territories of the United States. As the adhering to the Line mentioned in the Treaty with America would exclude the Posts which are still in His Majesty's Possession, and which the infraction of the Treaty on the part of America has induced His Majesty to retain, while on the other hand the including them by express words within the Limits to be established for the Province by an Act of the British Parliament would probably excite a considerable degree of resentment among the Inhabitants of the United States and might perhaps provoke them to measures detrimental to Our Commercial Interests. Possibly the best solution for this difficulty might be to describe the Upper District by some general words such as "All the Territories, &c., &c., &c., possessed by and subject to His Majesty, and being to the West or South of the Boundary Line of Lower Canada, except such as are included within the present Boundaries of the Government of New Brunswick."

In settling this point of the Boundaries it will also be a question, whether the Fishing Settlement in Gaspé may not with advantage be annexed to the Government of New Brunswick rather than to be left as a part of that of Lower Canada under the system now proposed to be established particularly as the local Circumstances of that District might render a representation of it in an Assembly at Quebec extremely difficult if not impracticable.

The Legislature in each of the Two Provinces is intended, as your Lordship will observe from the draught of the Bill, to consist of His Majesty represented by His Governor or Lieutenant Governor, a Legislative Council and a House of Assembly.

It is intended to separate the Legislative from the Executive Council, and to give to the members of the former a right to hold their Seats during their Life and good Behaviour, provided they do not reside out of the Province, or attach themselves to any Oath of allegiance or Obedience to the United States or to any other Foreign Power.

It is the King's farther intention to confer upon the Persons whom he shall distinguish by calling them to His Legislative Council some mark of Honour, such as a Provincial Baronetage either personal to themselves, or descendible to their Eldest Sons in lineal Succession.

A great accession of wealth to the Provinces might probably induce His Majesty at a future period to raise the most considerable of these Persons to a higher degree of Honour, but this could certainly not be done with propriety under the present circumstances.

The Object of these regulations is both to give to the Upper branch of the Legislature a greater degree of weight and consequence than was possessed by the Councils in the Old Colonial Governments and to establish in the Provinces a Body of Men having that motive of attachment to the existing form of Government which arises from the possession of personal or hereditary distinction.

It will be very necessary that great attention should be paid to the choice of those Persons who are to be placed in this situation in the first instance, and of those whom His Majesty may be advised from time to time to add to that number; and as your Lordship's long knowledge of the Province and of the Individuals who compose the higher classes of the Community, must render your Lordship more particularly competent to such a selection, I must desire that your Lordship will consider this point with that degree of attention to which its importance entitles it, and that you will state to me the names of those Persons whom you may think fit objects of the King's favour in this respect, in each of the Two Provinces intended to be formed.

In the draft of the Bill which I enclose, a blank is left for that which is to be fixed as the smallest number of which the Councils are respectively to be composed. It is certainly desirable that this number should not be made too large in the first instance, as it would be easy for His Majesty to add to it whenever it may be found expedient, while on the other hand the calling improper Persons to the Council, in

order to make up the number required by the Bill would under the system now produced be productive of permanent inconvenience and mischief to His Majesty's Government.

Of this point also your Lordship must unquestionably be the best Judge, and I shall be anxious to learn your Sentiments upon it. My present idea, founded, however, rather on conjecture than on any satisfactory information, would be that the Legislative Council in Upper Canada should not consist of less than six members, and in Lower Canada of not less than Twelve; and that the selection of these Persons should be made with a view to encreasing the number by some addition at no very distant period, as a mark of His Majesty's favour to those Persons whose Conduct may be found to entitle them to it.

Your Lordship will also state to me for His Majesty's information the number and names of those Persons whom you may think proper to recommend to His Majesty for Seats in the Executive Council.

It is by no means intended that the Members of the Legislative Council should be excluded from this Body or that it should on the other hand be wholly composed of Persons of this discription. It may be adviseable that some of the Persons named to the Executive Council in one of the Districts should also be admitted to the same distinction in the other.

In providing for the establishment of a House of Assembly in each of the Two Provinces, the first question of detail which occurs is that of the Numbers of which these Bodies should consist, and of the manner in which they should be elected; particularly with respect to the division of the Provinces into Counties or Districts and to the relative proportion of Representation to be allowed to the Towns.

The decision of these points must necessarily depend on local knowledge: They are therefore left in blank in the Draft of the Bill, and I must desire your Lordship's opinion upon them. I am not sufficiently informed whether the present Division of the Counties would be well adapted to the object in question, or whether a Subdivision into Parishes or Districts would be more desirable.

I enclose for your Lordship's information a Paper delivered to me by Mr. Lymburner, containing a Plan of Representation for the Province; but as far as I am at all enabled to form an opinion on the subject, that plan appears to me to be liable to great objection. I also transmit a plan for the same purpose framed by the Board of Trade in 1765.

The next point to be considered is the Qualifications of the Electors and of the Persons to be elected in each of the Provinces. This is also in great measure a point of local detail depending on the condition & circumstances of the different Classes of the Inhabitants of the Provinces, and on which His Majesty's Servants are therefore desirous of receiving your Lordship's Opinion. In the margin of the Bill which I now transmit, I have marked the suggestions which have been made to me on this Subject, but I do not feel myself enabled without further information, to form any satisfactory Opinion upon them.

The remaining clauses of the Bill do not seem to require much particular discussion in this Letter; Your Lordship will observe by the 27th clause that it is intended to continue all the existing laws of the Province untill they shall be repealed or varied by the Legislatures of the respective Provinces. An exception is however made and there is a Clause left in blank for the insertion of such Commercial Regulations, if any, which it may be thought expedient to introduce as exceptions to the Canadian Laws respecting Property and Civil Rights, previous to investing the Assembly in Lower Canada with a right to negative all future changes which may be proposed.

This is a point which is now under the Consideration of His Majesty's Law Servants, but as it is probable that I shall receive your Lordship's answer to this dispatch before it may be necessary to come to a final decision on this Subject, I shall be glad to be furnished with any suggestions which may occur to your Lordship upon it, as likely to conduce to the advancement and security of the Commercial Interest of this Kingdom, and that of the Province as connected with it.

The Clause enabling Persons to commute the holding of their Lands into free and common Soccage is conformable to what your Lordship has recommended with respect to the Upper Districts, and it seems a measure of good policy to extend the same principle to the lower parts of the Province, as far as the prejudices of the French Inhabitants will allow.

I should wish to know your Lordship's sentiments with respect to the time which might be most convenient for the commencement of this new system, supposing the Bill to be passed in the next Session of Parliament.

I am, &c.,

W. W. GRENVILLE,

(The clauses of the proposed Bill, enclosed in the preceding letter, are given at No. 6 of this note, and, in parallel columns, the Bill as altered by Lord Dorchester).

No. 3.—PLAN FOR A HOUSE OF ASSEMBLY DRAWN UP BY THE COMMITTEE OF QUEBEC AND MONTREAL IN 1784.

(*Canadian Archives, Series Q., Vol. 42, p. 127.*)

We conceive that the House of Assembly ought for the present to consist of a Number not exceeding 70 Representatives, who ought all to profess the Christian Religion, and speak and write the English or french languages.

When this plan was made out in fall 1784, the loyalists had not begun their new settlements. As these new settlements have been divided and erected into five new districts, it may be proper that each district send a certain number of Representatives, and that the two districts of Quebec and Montreal, containing the old settled part of the Country be divided into a certain number of districts (for the purpose of electing Representatives only) to choose Members for the House of Assembly.

That to procure that number, the City of Quebec (being the Capital) and Parish, and the City of Montreal and Parish, between them, elect 13 Members. The City of Three Rivers, 2 Members. And as there are in the Province 120 parishes, that they be divided into Counties and districts according to the number of Inhabitants in such manner as each County or district may elect two or four members.

That the Legislature have the power, on application to them, to erect such parishes as may in future be settled into Counties or districts, to elect & send members to the Assembly, as the province increases in population.

That the qualification necessary to have a Vote at the Election of the representatives for the Cities shall be a House, Shed or lot of Ground of the Value of forty Pounds Sterling; And for the Counties or districts, a real Estate, Estate of Inheritance or *Terre en roture*, of at least one and a half acres in front by 20 acres in Depth or other Estate of higher denomination, And of which the Voter shall have the absolute property; lying within the district or County, or City and parish he votes for.

That the qualification necessary for a person offering himself to serve as a representative shall be a real Estate of Inheritance or descent in Lands or Houses of the Value of thirty Pounds Sterling yearly Rent.

That every person shall prove by Oath (under the pains and penalties of perjury) his qualification to either Vote or represent, being of the age of twenty one years and be absolute proprietor of the qualification.

That none but Males shall either Vote or represent.

That the Assembly have free liberty of debate, and the power of chusing a Speaker.

That all laws relating to taxation or raising monies on the Subject, originate in the House of Assembly.

That the Assembly have the sole right to try and decide in all Contested Elections.

That all affairs be carryed in the Assembly by a Majority of Votes.

That at every meeting of the Assembly, the Speaker and at least one half of the representatives be necessary to form a house.

That the Governor or Lieutenant Governor for the time being, shall be obliged to call together the representatives in Assembly, once every year, between the first of January and the first of May of every year, and at any other time the Urgency of Affairs may require.

No. 4.—REPORT FROM THE LORDS COMMISSIONERS FOR TRADE AND PLANTATIONS RESPECTING A HOUSE OF REPRESENTATIVES, DATED 10TH JULY, 1769.

(*Canadian Archives, Series Q., Vol. 42, p.* 131.)

With regard to the House of Representatives which (tho' declared by His Majesty's Royal Commission and instructions to be a part of the Constitution) has never yet, for the reasons already mentioned taken place, it will we presume be neither practical nor expedient in the present state of that Colony to give it such a shape & form as shall be considered to be fixed & permanent under all circumstances, every establishment of this nature must be considered merely in the light of experiment, so far at least as depends upon the form in which it shall be first convened; open in all cases that regard the Places which are to elect Representatives, the number to be elected & the form of their Qualifications & proceedings, to such alterations as a variation in the state & circumstances of the Colony shall from time to time require.

For the present, as this Province is already divided into three Districts, & as we observe that the Courts of Justice & other Civil establishments are formed with a view of this division of it, we presume your Lordships will be of opinion that the establishment of a House of Representatives should likewise correspond therewith: And therefore we beg leave to propose that it should consist of 27 members to be elected in manner following, that is to say

For the City of Quebec	7
For the District of Quebec	6
For the City of Montreal	4
For the District of Montreal	4
For the Town of Trois Rivières	3
For the District of Trois Rivières	3
	27

That the Members chosen for the several Districts shall not be obliged to take any other oaths than those of Allegiance, Supremacy & Abjuration, but care must be taken, that the privilege hereby meant to be given to the New Subjects, of being eligible for the Districts is confined to them only, & to such of them as were actual inhabitants of Canada, & possessors of Lands and Tenements therein at the time of the Treaty of Paris.

That the Members elected for the Cities of Quebec & Montreal & Town of Trois Rivières, shall, besides the oaths of Allegiance, Supremacy & Abjuration, subscribe the Test against Transubstantiation required by the Act of the 25th of Chas. 2nd Chapter 2nd.

That the mode & form of convening the first Assembly shall be prescribed by an Ordinance to be passed for that purpose, in which it shall be declared, that no person shall be capable of being chosen a Representative or shall vote in the choice of a Representative that has not attained the age of 21 years, and is not actually

& bona fide, a proprietor & occupier of Lands, or a tenement within the province, but that the qualifications of both Electors & Elected & the forms of proceedings in respect to elections be more particularly provided for by a Law to be passed in the first Assembly that shall meet, & that it be recommended that no person be capable of being elected for a district that is not possessed either in his own right, or in the right of his wife of a Seigneurie within the Province.

That the Person elected Speaker of the Assembly shall take the Oaths of Allegiance, Supremacy & Abjuration & also subscribe the test required by the Act of the 25th of Charles 2nd, Chap 2nd.

By the foregoing regulations your Lordship will observe that it is probable that the House of Representatives will consist nearly of an equal number of Protestant and Roman Catholic Subjects & that, as those to be elected for the Cities of Quebec & Montreal & for the Town of Trois Rivières must of necessity be Protestant, so it will be most likely, tho' not of necessity, that those for the Districts will be persons professing the Roman Catholic Religion; and we trust that when your Lordships consider the state of this Colony in respect to the very great superiority in number & property of the new subjects, you will not think the rule of proportion between one description & the other to be more favorable to the new subjects than Justice & Equity require. As to the proper times for the meeting of the Assembly, the nature & form of the Writ for Election & the various other minute regulations incident to such an institution they are matters which must be left to the discretion of His Majesty's Governor, who will doubtless regulate his conduct herein by what has been approved & found most beneficial in other Colonies, so far as such Precedents conform to the peculiar Situation & Circumstances of Quebec.

No. 5.—LORD DORCHESTER TO MR. GRENVILLE.

(*Canadian Archives, Series Q., Vol.* 44–1, *p.* 20.)

(No. 15).

QUEBEC, 8th February, 1790.

SIR,—I received the triplicate of your dispatch No. 2 on the 20th of last month' and avail myself of the first opportunity to submit to His Majesty's Ministers such observations on the proposed Bill as occur to me in the moment.

The enclosed Draught comprehends the corresponding alterations, Engrafted upon the Bill, transmitted in your letter.

The attainment of a free course of Justice throughout every part of His Majesty's possessions in the way least likely to give umbrage to the United States appears to me very desirable. For this reason the boundaries of the two proposed Provinces are described by a precise Partition line only of the Country of Canada, with the addition of such general words, as I hope might include the Territories subject to, or possessed by, His Majesty to the Southward of the forty fifth degree of North Latitude on the side of Lake Champlain, as well as on the side of Oswego, Niagara, Detroit, Michilimakinak, corresponding as nearly as could be, with the idea expressed in your letter. But upon consulting the Chief Justice relative to the operation of this description of the Boundary, I find that he does not think it will answer the desired end.

The District of Gaspé it seems best for the present to leave annexed to the Province of Lower Canada, on account of its commercial connection with this Province, and because notwithstanding its distance, the communication of it with Quebec by water, is easier than its access to the seat of the Government of New Brunswick, in the present condition of that Province; the more so, as the difficulty of a representation from that District, in an Assembly at Quebec is greatly diminished, by the opening left in the Bill for nonresidents of any district being elected Representatives thereof.

But the Bay of Chaleurs being subject to different Governments, particularly during the present uninhabited state of that part of New Brunswick, gives an opportunity to ill disposed persons to elude the controul of the law to the detriment of the Fisheries, and good order; a clause (B) to remedy this evil is therefore inclosed, which, if approved of, may be introduced into the Bill as an addition to the second clause.

Many advantages might result from an hereditary Legislative Council, distinguished by some mark of honour, did the condition of the country concur in supporting this dignity, but the fluctuating state of Property in these Provinces, would expose all hereditary honours to fall into disregard; for the present therefore it would seem more advisable to appoint the members during life, good behaviour and residence in the province. The number for Upper Canada to be not less than seven and for Lower Canada not less than fifteen, to be encreased by His Majesty as the wealth and population of the Country may require. To give them as much consequence as possible, in the present condition of the Province, they should be selected from among the men of property, where talents, integrity and a firm attachment to the Unity of the Empire may be found. I shall take the first opportunity of communicating the names of such persons as appear to me the fittest objects of this description.

The House of Assembly for Upper Canada might consist of not less than sixteen, and that for Lower Canada of not less than thirty members, or nearly double in number to the Legislative Councils, to be augmented also in proportion to the Population of the Country.

As far as I can judge at present it might be advisable to give the Towns of Quebec and Montreal in Lower Canada, a representation of four members each, and two to the Town of Three Rivers, dividing the Country Parishes thereof into twenty Circles, to send one member each. In Upper Canada, the four districts of Luneburg, Mecklenburg, Nassau and Hesse, to furnish four members each, and hereafter to be subdivided into as many Circles and Towns, as their condition may require.

But the present time is too short to enter into a more minute detail for which reason it is proposed to fix only the smallest number of members in the Bill, and to leave the actual subdivision and apportionment, necessary for an equal representation, to be ascertained by the Lieutenant Governors, with the advice of the Executive Councils, of the respective Provinces, under authority for that purpose from His Majesty.

The qualifications of Electors, and persons to be elected, as to birth has been extended to inhabitants of the Provinces before and since the Conquest, because they may be considered upon an equal footing with the natives and to foreigners naturalized, because an accession to the Province of light and property from abroad is desirable and not likely to injure the King's interest under the guards proposed.

The disqualifications of Persons, attainted for Treason, and Felony, Deserters from the Militia when called out into service, and Bankrupts, until the full payment of their debts, have been added to the fourteenth clause, as a check to these evils and from a persuasion, that persons of that description are not entitled to any political honours or consequence.

On the expediency of inserting any Commercial regulations, as exceptions to the Laws of Canada, previous to investing the Assembly in Lower Canada with a right to negative all future changes, I regret that the complicated and professional nature of the subject, prevents my forming any other than a general opinion, that whatever regulations of this sort shall be thought proper to be adopted, should be enacted specially, unfolded to the people, and not introduced in bulk, and by general description.

The introduction of a Soccage Tenure I think necessary in the Upper Country and advisable in every part of the province, and this free of Quit rents from all holding no more than one thousand acres, as recommended in my letter to Lord Sydney, No. 18. And the Quit rent, which it may be judged proper to lay on large Tracts, should be given up to the Provincial Governments for their support, that all

seeds of discord between Great Britain and her Colonies may be prevented. And independent of this important consideration perhaps the true principle of Œconomy is rather to obviate the necessity of sending money abroad, than to bring home any from Quit rents or Duties of any kind.

I take for granted, that the benefits, arising to the subject, from a change of the tenure in Fief to that in Common Soccage, are meant to run throughout, as from the King to his Tenant, so from the latter to all his undertenants, at the time of change, otherwise the advantages will be confined to a few, and an interest created unfriendly to the improvement of the country. Some alterations have been made in the clause relative to this point, with a view of clearing doubt upon the subject.

The commencement of the operation of the Act, as to every part excepting only the issuing the writs of Election, and calling together the Houses of Assembly of the respective Provinces, has been fixed at such time, as may be declared by His Majesty, with the advice of His Privy Council, not later than Six months after the notification of the Act in this Country, which I think will allow time sufficient for all necessary arrangements as to these points.

But for the convocation of the Assemblies a more distant period appears to be necessary, for the reasons above stated.

As soon as the proper plans for their organization shall have been prepared, His Majesty may order the Assemblies to be convened, as soon as convenient, previous to the first of January, 1792, as suggested in the thirty-first clause of the Bill, to which is likewise added a proposal for the temporary Government of the two Provinces in the interval by the Lieutenant Governors, and Legislative Councils thereof, according to the model of the Quebec Bill.

Should this be approved, the Royal indulgence of returning to England for a few months on my private affairs, would give me an opportunity to lay before His Majesty's Ministers all further explanations in my power on this subject.

Before I conclude, I have to submit to the wisdom of His Majesty's Councils, whether it may not be advisable to establish a General Government, for His Majesty's Dominions upon this Continent, as well as a Governor General, whereby the united exertions of His Majesty's North American Provinces may more effectually be directed to the general interest, and to the preservation of the Unity of the Empire.

I enclose a copy of a letter from the Chief Justice (C), with some additional clauses upon this subject (D), prepared by him at my request, together with his draught of another proposed addition to the Bill (E), to provide for the trial of foreign treason and murder, as also a copy of his letter (F) respecting the operation of the Boundary, as described in the Bill, with his idea (G) of the addition necessary to give free scope to our Courts of Justice. The clause above referred to under the letter B was also prepared by him at my request.

I am with much respect and esteem,
Sir, your most obedient and most humble servant,
DORCHESTER.

The Right Honble
Wm. W. Grenville.

No. 6.—THE PROPOSED ACT FOR THE DIVISION OF THE PROVINCE.

(*Canadian Archives, Series Q., Vol. 42, p. 105, and Q. 44–1, p. 30.*)

Original draught of the Bill.	*The Bill as altered by Lord Dorchester.*
1. May it therefore please Your Most Excellent Majesty that it may be enacted & be it enacted by the King's Most Excellent Majesty by, & with the advice and consent of the Lords Spiritual and Tem-	1. No change made in this clause, but the following memorandum is in the margin of the Bill as returned: Mem. The limits between New York and the Province of Quebec, were adjusted by

poral & Commons in this present Parliament assembled and by the authority of the same: That so much of the said Act as in any manner relates to the establishment of the Boundaries of the Province of Quebec, or to the Appointment of a Council for the affairs of the said Province, or to the Power given by the said Act to the said Council, or to the major part of them to make Ordinances for the peace, welfare & good Government of the said Province, with the consent of His Majesty's Governor, Lt. Governor, or Commander in Chief for the time being, shall be & the same is hereby repealed.

2. And be it enacted by the authority aforesaid, That the several Territories, Lands and Countries which are now subject to and possessed by His Majesty in North America, and which are comprized within the limits of the said Province of Quebec, as formerly established by the said Act, shall be & the same are hereby divided into two Provinces, which Provinces shall be called, The Province of Upper Canada, and the Province of Lower Canada: And be it enacted that the Boundaries of the Province of Upper Canada shall be as follows, that is to say:

And be it enacted, that the Boundaries of the Province of Lower Canada shall be as follows, that is to say:

the Crown in Privy Council in 1766, and communications made to the Governors through the Board of Trade.

2. And be it also enacted by the authority aforesaid, that the Country of Canada shall be and the same is hereby divided into two Provinces to be called the Province of Upper Canada and the Province of Lower Canada, which Provinces shall be separated by a partition line of various courses running due South from a Stone boundary fixed on the North bank of the Lake Saint Francis in a cove of the River of Saint Lawrence, West of Point au Boudet in the limit between the Township of Lancaster and the Seigniory of new Longueuil to the Southernmost extent of His Majesty's Dominions and running in a Northerly direction from the aforesaid stone boundary along the western or inland bounds of the said Seigniory of New Longueuil and of the Seigniory of Vaudreuil, according to their various courses until it strikes the Ottawas River, thence in a direct line to the nearest point in the centre of the navigable channel of the said river, thence ascending the middle of the navigable Channel of the said river to the Lake Temiscaming, thence through the middle of the said Lake to the most Northerly extremity thereof, and thence running due North to the boundary of the Territory granted to the Merchants Adventurers of England trading to Hudson's Bay. The Province of Upper Canada to comprehend all the Territories, Lands and Countries which are now subject to or possessed by His Majesty to the Westward and Southward of the said Partition Line, and the Province of Lower Canada to comprehend all the Territories, Lands and Countries, which are now subject to or possessed by His Majesty to the Eastward of the said

3. And be it further enacted by the Authority aforesaid, That there shall be within each of the said Provinces respectively, a Legislative Council, & a House of Assembly, to be severally composed & constituted in the manner herein after described; And that in each of the said Provinces respectively, His Majesty, His Heirs and successors, shall have power by and with the consent and advice of the Legislative Council and House of Assembly of such Provinces respectively, to make Laws for the Peace, Welfare & Good Government thereof;

And that such Laws being passed by the Legislative Council & House of Assembly of either of the said Provinces respectively & being assented to by His Majesty, His Heirs or Successors, or being assented to in His Majesty's name by such person as His Majesty shall from time to time appoint to be His Govr. or Lt. Gov. of such Province; or as His Majesty shall from time to time appoint to administer His Government within the same, in the absence of such Governor or Lt. Gov. shall be valid and binding on the Inhabitants of the Province in which the same shall have been so passed.

4. And be it further Enacted, by the Authority aforesaid, That, for the purpose of constituting such Legislative Council as aforesaid, in each of the said Provinces respectively, it shall and may be lawful for His Majesty, His Heirs & Successors, by and with the advice of His Privy Council, to authorise & direct His Gov. or Lt. Gov. or person administering His Government in each of the said Provinces respectively, within (3) months after the commencement of this Act, in His Majesty's name, & by an Instrument under the Great Seal of the Province to summon

partition Line, and to the Southward of the Southern boundary of the said Territories granted to the Merchants Adventurers of England trading to Hudson's Bay being no part of the Government of Newfoundland or any other of His Majesty's Provinces in North America, at the time of passing this Act. (A note in the margin says: "This clause is entirely new. See also the clause B, which is proposed by the Chief Justice to be inserted at the end of this clause").

3. And be it further enacted by the Authority aforesaid that there shall be, within each of the said Provinces respectively, a Legislative Council and a house of Assembly to be severally composed and constituted in the manner hereinafter described. And that in each of the said Provinces, respectively, His Majesty, His Heirs or Successors shall have power, by and with the advice and consent of the Legislative Council and House of Assembly of such Provinces respectively, to make laws for the Peace, Welfare and Good Government thereof, And that such laws being passed by the Legislative Council and House of Assembly of either of the said Provinces respectively and being assented to by His Majesty, His Heirs or Successors, or being assented to in His Majesty's name, by such person as His Majesty shall from time to time appoint to be His Governor or Lieutenant Governor of such Province, or as His Majesty shall from time to time appoint to administer His Government within the same in the absence of such Governor or Lieutenant Governor shall be valid and binding on the Inhabitants of the Province in which the same shall have been so passed.

4. And be it further enacted by the authority aforesaid that for the purpose of constituting such Legislative Council, as aforesaid, in each of the said Provinces respectively it shall and may be lawful for His Majesty, His Heirs or Successors, by and with the advice of the Privy Council, to authorize and direct His Governor, or Lieutenant Governor or Person administering His Government in each of the said Provinces respectively, *within the time hereinafter mentioned*, in His Majesty's name and by an Instrument under the Great Seal of the Province to

to the said Legislative Council to be established in each of the said Provinces respectively, a sufficient number of discreet & proper persons, being not fewer than (6) to the Legislative Council for the Province of Upper Canada, & not fewer than (12) to the Legislative Council, for the Province of Lower Canada.

And that the persons so summoned shall thereby become members of the Legislative Councils to which they shall respectively have been so summoned, and shall constitute & compose the same respectively;

And That it shall also be lawful for His Majesty, His Heirs & Successors, from time to time by and with the advice of the Privy Council, to authorise & direct His Governor, or Lt. Gov., or person administering His Government in each of the said Provinces respectively, to summon to the said Legislative Councils of the said Provinces respectively in like manner, such other person or persons, as His Majesty, His Heirs and Successors shall think fit.

And that every person who shall be so summoned to the Legislative Council of either of the said Provinces respectively, shall thereby become a member of such Legislative Council to which he shall have been so summoned.

5. Provided always & be it enacted by the Authority aforesaid, That no person shall be summoned to the said Legislative Council, in either of the said Provinces, who shall not be of the full age of twenty-one years, & who shall not be a natural born subject of His Majesty, or an Inhabitant of one of the said Provinces, having been born within one of the said Provinces, previous to the Conquest thereof by His Majesty's arms.

6. And be it further Enacted, That every Member of each of the said Legislative Councils shall hold his seat therein for the Term of his Life, but subject nevertheless to the Provisions hereinafter contained for vacating the same, in certain cases hereinafter specified.

summon to the said Legislative Council to be Established in each of the said Provinces respectively, a sufficient number of discreet and proper persons, being not fewer than (7) to the Legislative Council for the Province of Upper Canada, and not fewer than (15) to the Legislative Council for the Provinee of Lower Canada.

And that the persons so summoned shall thereby (Marginal note: by virtue of such summons) become members of the Legislative Council, to which they shall respectively have been so summoned, and shall constitute and compose the same respectively. And that it shall also be lawful for His Majesty, His Heirs or Successors from time to time, by and with the advice of the Privy Council, to authorise and direct His Governor or Lieutenant Governor or Person administering His Government in each of the said Provinces respectively to summon to the said Legislative Councils of the said Provinces respectively in like manner, such other Person or Persons, as His Majesty, His Heirs or Successors shall think fit.

And that every Person who shall be so summoned to the Legislative Council of either of the said Provinces respectively shall *thereby* become a member of such Legislative Council to which he shall have been so summoned. And the major part of them duly assembled shall constitute a Legislative House or Council.

5. Provided always and be it enacted by the Authority aforesaid, that no person shall be summoned to the said Legislative Council, in either of the said Provinces who shall not be of the full age of twenty-one years, and who shall not be a natural born subject of His Majesty, or shall not have been an Inhabitant of one of the said Provinces before and since the thirteenth day of September, one thousand, seven hundred and fifty-nine, or else being of foreign birth, shall not have been naturalized by Act of Parliament or a law of the Province.

6. And be it further Enacted, That every Member of each of the said Legislative Councils shall hold his seat therein for the term of his life, but subject nevertheless to the Provisions hereinafter contained for vacating the same, in the cases hereinafter specified.

7. Provided always and be it Enacted by the Authority aforesaid, that if any Member of either of the said Legislative Councils shall leave the Province for which he was appointed a Councillor and shall reside out of the same for the space of one year continually without the permission of the Governor or Lt. Governor of the Province, or of the person administering His Majesty's Government there, such permission to be signified to such Legislative Council by such Gov. or Lt. Governor or Person administering His Majesty's Government: Or if he should reside out of such Province for the space of two Years continually without the permission of His Majesty, His Heirs or Successors signified to such Legislative Council, by the Governor or Lt. Governor, of the Province, or Person administering His Majesty's Government there: Or if any such Member shall take any Oath of Allegiance or Obedience to any foreign Prince or State, his Seat in such Council shall thereby become vacant.

8. Provided also and be it Enacted by the Authority aforesaid, That if any Member of either of the said Legislative Councils shall be attainted for Treason or Felony, his Seat in such Council shall thereby become vacant.

9. And be it further Enacted, That the Governor, or Lt. Gov. of the said Provinces respectively, or the Person or Persons administering His Majesty's Government therein respectively, shall have power & authority from time to time, by an Instrument under the Great Seal of the Province, to constitute, appoint and remove the Speakers of the Legislative Councils of such Provinces respectively.

10. And be it further Enacted by the Authority aforesaid, That for the purpose of constituting such Assembly as aforesaid, in each of the said Provinces respectively,

It shall and may be lawful for His Majesty, His Heirs & Successors to authorize & direct His Governor, or Lt. Gov. or person administering His Government in each of the said Provinces respectively, within (3) months after the commence-

7. Provided always and be it enacted by the authority aforesaid, that if any Member of either of the said Legislative Councils shall leave the Province for which he was appointed a Councillor and shall reside out of the same for the space of one year continually, without the permission of the Governor or Lieutenant Governor, of the Province or of the Person administering His Majesty's Government there, such permission to be signified to such Legislative Council, by such Governor, Lieutenant Governor, or Person administering His Majesty's Government or if he (*Note:* Any such Member) shall reside out of such Province, for the space of two years continually without the permission of His Majesty, His Heirs or Successors, signified to such Legislative Council by the Governor, or Lieutenant Governor of the Province or Person administering His Majesty's Government there: Or if any such Member shall take any Oath of Allegiance or obedience to any foreign Prince or Power, his seat in such Council shall thereby become vacant.

8. Provided also and be it Enacted by the Authority aforesaid, that if any member of either of the said Legislative Councils shall be attainted for Treason, or Felony, his seat in such Council shall thereby become vacant.

9. And be it further Enacted that the Governor or Lieutenant Governor of the said Provinces respectively, or the Person administering His Majesty's Government therein respectively, shall have power and authority from time to time, by an instrument under the Great Seal of the said Province respectively, to constitute, appoint and remove the Speakers of the Legistative Councils of such Provinces respectively.

10. And be it further enacted by the authority aforesaid, that for the purpose of constituting such Assembly as aforesaid in each of the said Provinces respectively, it shall and may be lawful for His Majesty, His Heirs or Successors, to authorize and direct His Governor or Lieutenant Governor or Person administering His Government in each of the said Provinces respectively within the time hereinafter mentioned in His Ma-

ment of this Act, in His Majesty's name & by an instrument under the Great Seal of such Province respectively, to summon & call together an Assembly in & for such Province.

11. And be it further Enacted by the Authority aforesaid, That, for the purpose of electing the members of such Assemblies, respectively, it shall and may be lawful for His Majesty to authorize His Governor or Lt. Gov. of each of the said Provinces or the person or persons administring the Government therein respectively, to issue a Proclamation dividing such Province into Districts, or Counties, & appointing the limits thereof, so that the said Province of Upper Canada shall be divided into districts, and the said Province of Lower Canada into districts.

And, That it shall also be lawful for His Majesty to authorize such Governor or Lt. Gov. or person as aforesaid, to nominate and appoint proper persons to execute the office of Sheriff, in each of the said Districts or Counties respectively.

12. Provided always, that no person shall be obliged to execute the said Office of Sheriff for any longer term than one year, or oftener than once, unless it shall be otherwise provided by the Legislature of the Province.

13. And be it further Enacted, That Writs for the Election of Members to serve in the said Assemblies respectively, shall be issued by the Governor, or Lt.-Governor, or person or persons administring His Majesty's Government within the said Provinces respectively, within (14) days after the sealing of such instrument as aforesaid, & shall be directed to the respective Sheriffs of the said Districts or Counties, and that the form of such Writs shall be as nearly as may be, conformable to that of the Writs issued in Great Britain for the election of members to serve in Parliament; And that such Sheriffs shall, & they are hereby authorized, & required duly to execute such Writs and all other Writs which shall issue in pursuance of this Act, & shall be

jesty's name and by an Instrument under the Great Seal of such Province respectively, to call together an Assembly in and for such Province.

11. And be it further Enacted by the authority aforesaid, that for the purpose of electing the Members of such Assemblies respectively it shall and may be lawful for His Majesty, His Heirs or Successors to authorize His Governor, Lieutenant Governor of each of the said Provinces, or the Persons administering His Goverament therein respectively, to issue a Proclamation dividing such Province into districts, Counties or circles and Towns, and appointing the limits thereof and fixing and declaring the number of Representatives to be chosen by each. And that it shall also be lawful for His Majesty to authorize such Governor or Person as aforesaid to nominate and appoint proper Persons under the name of Sheriffs and Bailiffs or any other name to execute the office of Returning Officer in each of the said Districts, Counties or Circles and Towns respectively.

12. Provided always and be it enacted by the authority aforesaid that the whole number of Members to be chosen in the Province of Upper Canada shall not be less than sixteen and that the whole number of members to be chosen in the Province of Lower Canada shall not be less than thirty.

13. And be it further enacted that writs for the Election of members to serve in the said Assemblies respectively shall be issued by the Governor or Lieutenant Governor or Person administering His Majesty's Government within the said Provinces respectively within (14) days after the sealing of such instrument as aforesaid, and shall be directed to the respective returning officers of the said Districts Counties, or Circles and Towns; And that the Form of such writs shall be, as nearly as may be, conformable to that of the Writs issued in Great Britain, for the Election of members to serve in Parliament; And that such returning officers shall, and they are hereby authorized and required, duly to execute such writs, which shall issue in pursu-

directed to them; And That writs shall in like manner, & form be issued for the election of members in the case of any vacancy which shall happen by the death of the person chosen, or by his being summoned to the Legislative Council of either Province; in which case it is hereby enacted, That the person so summoned shall no longer continue a Member of the said Houses of Assembly, or either of them; And be it also enacted, That in the case of any vacancy, by the death of the person chosen, or by reason of his being so summoned as aforesaid, the Writ for the Election of a new member in the room of the person, so dead, or so summoned, shall be issued within days after his death, or the date of such summons.

14. And be it further enacted by the authority aforesaid That the whole number of members to be chosen in the Province of Upper Canada, shall be that is to say members for each of the said Districts or Counties & members for the Towns of

15. A .d be it furthern Eacted, by the authority aforesaid, That the whole number of members to be chosen in the Province of Lower Canada shall be that is to say members for each of the said districts or counties, & members for the Towns of

ance of this Act, and shall be directed to them. And that writs shall in like manner and form be issued for the Election of members in the case of any Vacancy which shall happen by the Death of the person chosen or by his being summoned to the Legislative Council of either Province, in which case it is hereby enacted that the person so summoned shall no longer continue a member of the said houses of Assembly or either of them.

And be it also enacted, that in the case of any vacancy by the death of the person chosen, or by reason of his being so summoned as aforesaid, the writ for the election of a new member in the room of the person so dead, or so summoned, shall be issued within six days after the same shall be made known to the proper office for issuing such writs of Election.

14. And be it further enacted that no person shall be capable of voting at any Election of a member to serve in such Assembly in either of the said Provinces, or of being elected at any Election who shall not be of the full age of twenty-one years, and who shall not be a natural born subject of His Majesty, or have been an Inhabitant of one of the said Provinces, before and since, the thirteenth day of September one thousand seven hundred and fifty-nine, or else being of foreign birth shall not have been naturalized by Act of Parliament, or a law of the Province.

And be it also Enacted by the same authority, that no person shall be capable of voting at any Election of a member to serve in such Assembly in either of the said Provinces, or of being Elected at any Election who shall from and after the commencement of this Act, be attainted for Treason or Felony or who shall desert from the Militia of either of the said Provinces when called out into Service, or who having become Bankrupt after the time aforementioned shall not thereafter have made full and entire payment of his Debts.

15. And be it further enacted that the members for the several districts, counties or circles of the said Provinces respectively shall be chosen by the majority of votes of such persons qualified to vote as aforesaid, as shall severally be possessed of Lands or Tenements with'n such District, County or Circle, being held in

16. And be it further enacted, That no person shall be capable of voting at any Election of a Member to serve in such Assembly, in either of the said Provinces, or of being elected at any such Election; unless he shall then be of the full age of twenty-one; and unless he shall be a natural born subject of His Majesty, or an Inhabitant of one of the said Provinces, born within one of the said Provinces, previous to the conquest thereof by His Majesty's arms.

17. And be it further enacted, That the members for the several Districts or Counties of Upper Canada shall be chosen by the Majority of Votes of such persons qualified to vote as aforesaid, as shall severally be possessed of

for their own use & benefit, & over & above all Rents & charges payable out of or in res-

Freehold or in Fief, or in Roture or by certificate derived under the authority of the Governor and Council of the Province of Quebec, of the yearly value of Five pounds sterling, for their own use and benefit and over and above all rents and charges, payable out of, or in respect of the same, within each of said Provinces separately.

And that the members for the several Towns within the said Provinces respectively shall be chosen by the majority of votes of such person qualified to vote as aforesaid, as shall severally be possessed of a Dwelling house and Lot of Ground in such Town, or in the Township or Parish thereof held in like manner as aforesaid or as having been resident within such town, or in the Township or Parish thereof, for the space of twelve months next before the date of the writ of summons for the Election, shall be possessed of the value of one hundred Pounds sterling in personal property within the same.

16. And be it further enacted by the authority aforesaid, that every Voter, before he is admitted to give his vote at any such election, shall, if required by any of the candidates or by the returning officer, take the following Oath, which shall be administered in the English or French Language as the case may require:

I, A. B. do declare and testify in the presence of Almighty God, that I am to the best of my knowledge and belief, of the full age of Twenty-one years (and a natural born subject of His Majesty King George) or and that I have been an Inhabitant of one of His Majesty's Provinces of Upper or Lower Canada, before and since the thirteenth day of September, one thousand seven hundred and fifty-nine, or, and that I have been naturalized by Act of Parliament or a law of the Province, and that I have not been polled before at this Election.

17. And be it further enacted by the authority aforesaid that it shall and may be lawful for His Majesty, His Heirs or Successors to authorize His Governor or Lieutenant Governor, of each of the said Provinces respectively to fix the time and place of holding such Elections, and to nominate proper persons to preside at the Elections for the Towns, and to make returns of the same, subject nevertheless to such Provisions, as may hereafter

pect of the same, within the said Province;

And That the members for the several Towns, within the said Province, shall be chosen by the Majority of Votes of such persons qualified to vote as aforesaid, as shall severally be possessed of any House within the said Towns, or as, having been resident within the same, for the space of months, previous to the Election shall severally be possessed of

in personal property within the same.

18. And be it further Enacted by the Authority aforesaid, That the members for the several Districts or Counties of Lower Canada, shall be chosen by the Majority of Votes of such persons qualified to vote as aforesaid, as shall severally be possessed of

for their own use, & benefit, & over & above all Rents & Charges, payable out of or in respect of the same, within the said Province;

And that the members for the several Towns within the said Province shall be chosen by the Majority of Votes of such persons as shall severally be possessed of any house within the said Towns, or as having been resident within the same, for the space of months previous to the Election; shall severally be possessed of

in personal property within the same.

19. And be it further Enacted, by the Authority aforesaid, That every Voter before he is admitted to give his Vote at any such Election, shall, if required by any of the Candidates, or by the Returning Officer, take the following Oath, which shall be administred in the English or French Language, as the case may require.

I A B. do declare & testify in the presence of Almighty God, that I am, to the best of my knowledge & belief, of the full age of twenty-one years (& a natural born subject of His Majesty King George) or, (& that I was born within His Majesty's Provinces of Upper or Lower Canada, previous to the conquest thereof, by His Majesty's arms.) And that I have not been polled before at this Election.

20. And be it further Enacted, by the Authority aforesaid, That it shall and may be made in these respects by the Legislature of the Province.

18. And be it further enacted by the authority aforesaid that it shall and may be lawful for His Majesty, His Heirs or Successors to authorize His Governor, or Lieutenant Governor of each of the said Provinces respectively, or the person administering His Government therein respectively to fix the places and times, of holding the first and every other Session of the Legislative Council and Assembly of each of the said Provinces and to prorogue the same from time to time, and to dissolve the same by Proclamation or Proclamations or otherwise whenever he shall judge it necessary.

19. Provided always and be it enacted by the authority aforesaid that the said Legislative Council, and Assembly in each of the said Provinces, shall be called together once at the least in every twelve Calendar Months.

And that every Assembly shall continue for (7) years from the day of the Return of the Writs for chusing the same, and no longer, subject nevertheless, to be sooner dissolved by the Governor, or Lieutenant Governor of the Province, or Person administering His Majesty's Government there.

20. And be it further enacted by the authority aforesaid, that all questions

be lawful for His Majesty, His Heirs and Successors, to authorize His Governor or Lt. Governor of each of the said Provinces respectively, to fix the time and place of holding such Elections, to nominate proper persons to preside at the Elections for the Towns & to make returns of the same, subject nevertheless to such provisions as may hereafter be made in these respects by the Legislature of the Province.

21. And be it further Enacted, by the Authority aforesaid, That it shall & may be lawful for His Majesty, His Heirs & Successors, to authorize His Governor, or Lt. Governor, of each of the said Provinces respectively, or the person or persons administering His Government; therein respectively to fix the places & times of holding the first, & every other Session of the Legislative Council and Assembly, of each of the said Provinces respectively & to prorogue the same respectively from time to time, & to dissolve the same respectively by Proclamation or Proclamations, or otherwise whenever he shall judge it necessary.

22. Provided always, & be it Enacted by the Authority aforesaid, That the said Legislative Council & Assembly in each of the said Provinces, shall be called

which shall arise in the said Legislative Councils or Assemblies, respectively shall be decided by the majority of Voices.

And that in cases where the Voices shall be equal, the Speaker of such Council, or Assembly, as the case shall be, shall have a casting voice.

And that one-half of the whole number of the members of each Assembly respectively duly assembled, and attending shall constitute a House of Assembly.

21. Provided always, and be it enacted by the authority aforesaid, that no member, either of the Legislative Council, or Assembly, in either of the said Provinces, shall be permitted to sit, or to vote, therein, untill he shall have taken and subscribed the following Oath, either before the Governor or Lieutenant Governor, of such Province, or person administering His Majesty's Government there, or before some Person, or Persons authorized by the said Governor, or Lieutenant Governor or other Person, as aforesaid to administer the same.

And that the same shall be administered in the English or French Language, as the case shall require.

I, A. B. do sincerely promise and swear, that I will be faithful and bear true allegiance to His Majesty, King George, as Lawful Sovereign of the Kingdom of Great Britain and of these Provinces thereunto belonging, and that I will defend him to the utmost of my power against all traitorous conspiracies, and attempts whatever, which shall be made against His Person, Crown and Dignity, and that I will do my utmost endeavour to disclose and make known to His Majesty, His Heirs, or Successors, all treasons and traitorous conspiracies, and attempts, which I shall know to be against him, or any of them; And all this I do swear without any equivocation, mental evasion, or secret reservation, and renouncing all pardons and dispensations from any Person or Power, whatever, to the contrary.

So help me God.

22. And be it further enacted by the authority aforesaid that whenever any Bill, which has been passed by the Legislative Council, and by the House of

together once at the least in every twelve months,

And That every Assembly shall continue for (7) years from the day of the Return of the Writs for chusing the same, & no longer, subject nevertheless to be sooner dissolved by the Governor, or Lt.-Govr. of the Province, or person administering His Majesty's Government there.

23. And be it further Enacted by the Authority aforesaid, That all Questions which shall arise in the said Legislative Councils, or Assemblies respectively, shall be decided by the Majority of Voices;

And That, in cases where the Voices shall be equal, the Speaker of such Council or Assembly, as the case shall be, shall have a casting voice.

24. Provided always & be it Enacted by the Authority aforesaid, That no member either of the Legislative Council or Assembly, in either of the said Provinces, shall be permitted to sit or to vote therein, until he shall have taken & subscribed the following Oath, either before the Govr. or Lt.-Govr. of such Province, or person administring His Majesty's Government there, or before some person or persons authorized by the said Govr. or Lt.-Govr. or other person as aforesaid, to administer the same; And that the same shall be administered in the English or French Languages, as the case may require;

I, A. B. do sincerely promise & swear that I will be faithful, & bear true Allegiance to His Majesty King George, as lawful Sovereign of the Kingdom of Great Britain, & of these Provinces thereunto belonging; And that I will defend Him to the utmost of my Power, against all traitorous conspiracies & attempts what-

Assembly, in either of the said Provinces respectively, shall be presented for His Majesty's assent, to the Governor or Lieutenant Governor of such Province, or to the Person administering His Majesty's Government for the same, it shall and may be lawful for such Governor or Lieutenant Governor or other Person as aforesaid, at his discretion, subject nevertheless to such Instructions as he may from time to time receive from His Majesty, His Heirs, or Successors, either to declare His Majesty's assent to such Bill, or to declare that he withholds such assent, or that he reserves the Bill, until His Majesty's pleasure shall be signified thereon.

23. And be it further enacted by the Authority aforesaid, that no such Bill, which shall be so reserved, by the Governor, or Lieutenant Governor, or Person administering His Majesty's Government, shall have the force of Law within the Province, in which the same shall have been so reserved, until such Governor, or Lieutenant Governor, or other Person as aforesaid, shall signify either by Speech or Message to the said Legislative Council and Assembly of such Province, or by Proclamation, that such Bill has been laid before His Majesty in Council, and that His Majesty has been pleased to approve the same.

24. And be it further enacted by the authority aforesaid, that all Laws, Ordinances and usages now in force, in either of the said Provinces respectively, respecting the description, quality, trial or punishment of offences, or respecting the decision of any matter of controversy, relative to property, or civil rights, shall remain, and continue to be of the same force and effect, in each of the said Provinces respectively, as at present, except in so far as the same are expressly varied by this Act, or in so far, as the same shall, or may, hereafter be repealed, altered or varied, by His Majesty, His Heirs, or Successors by and with the advice and consent of the respective Legislative Councils, and Assemblies of the said Provinces respectively.

ever which shall be made against his person, Crown, & Dignity; And That I will do my utmost endeavor to disclose & make known to His Majesty, His Heirs & Successors, all treasons, & traitorous conspiracies & attempts which I shall know to be against Him, or any of them.

And all this I do swear, without any equivocation, mental Evasion, or secret reservation, & renouncing all pardons & dispensations from any person or power whatever to the contrary.

So help me God.

25. And be it further Enacted by the Authority aforesaid, That whenever any Bill which has been passed by the Legislative Council and by the House of Assembly in either of the said Provinces respectively, shall be presented for His Majesty's Assent to the Governor, or Lieut.-Governor of such Province, or to the person administering His Majesty's Government for the same, it shall & may be lawful for such Governor, or Lieut.-Governor or other person, as aforesaid, at his discretion, subject nevertheless to such instructions as he may from time to time receive from His Majesty, His Heirs and Successors, either to declare His Majesty's Assent to such Bill, or to declare that he withholds such assent, or that he reserves the Bill untill His Majesty's pleasure shall be signified thereon.

26. And be it further Enacted, by the Authority aforesaid, that no such Bill, which shall be so reserved, by Govr. or Lt. Govr. or person administering His Majesty's Government, shall have the force of Law within the Province, in which the same shall have been so reserved, until such Govr. or Lt. Govr. or other person as aforesaid, shall signify either by Speech or Message to the said

25. Provided also and be it enacted by the authority aforesaid, that if any person or Persons, holding any Lands in the said Provinces, or either of them, immediately of the Crown in Fief, or in any other manner, than in free and common Soccage, and having a right to alienate the same, shall at any time from and after the commencement of this Act, surrender the same into the hands of His Majesty, His Heirs or Successors, by petition to the Governor, or Lieut.-Governor or other Person administering the Government of the said Provinces respectively, setting forth, that he, she or they, is or are, desirous of holding the same in free and common Soccage, such Governor, or Lieutenant Governor, or other Person, as aforesaid, shall thereupon cause a fresh Grant to be made to such Person or Persons of such Lands to be holden in free and common Soccage.

And every such change of Tenure shall work the absolute extinguishment of all mutation Fines, burthens and incumbrances within the Tract so surrendered, and regranted, to which the same, or any part thereof, would or might have been liable, under the laws and customs concerning Lands held in Fief or in Roture, or in any other manner, than in free and common Soccage in either of the said Provinces.

26. Provided nevertheless, and be it enacted by the authority aforesaid, that such surrender and grant shall not avoid or Bar, any right to any such lands so surrendered, or any interest in the same, to which any Person or Persons, other than the Person or Persons, surrendering the same, shall have been entitled, either in possession, remainder, or reversion, or otherwise, at the time of such sur-

Legislative Council, & Assembly of such Province, or by Proclamation, that such Bill has been laid before His Majesty in Council, and that His Majesty has been pleased to approve the same.

27. And be it further Enacted by the Authority aforesaid, That all Laws, Ordinances & Usages now in force in either of the said Provinces respectively, respecting the description, quality, trial, or punishment of Offences, or respecting the decision of any matters of controversy, relative to Property, or Civil Rights, shall remain & continue to be of the same force & effect, in each of the said Provinces respectively, as at present, except in so far as the same are expressly varied by this Act, or in so far as the same shall, or may hereafter be repealed, altered, or varied by His Majesty, His Heirs, or Successors, by & with the advice and consent of the respective Legislative Councils & Assemblies of the said Provinces respectively.

28. Provided also & be it Enacted by the Authority aforesaid, That if any person or persons holding any Lands in the said Provinces, or either of them, immediately of the Crown, or in any other manner than in free and common Soccage; and having a right to alienate the same, shall at any time from and after the commencement of this Act, surrender the same into the hands of His Majesty, His Heirs, or Successors, by petition to the

render, but that every such right and title shall be as valid and effectual, as if such surrender and grant had never been made.

27. And whereas it has been declared by an Act passed in the eighteenth year of the Reign of His present Majesty, that the King and Parliament of Great Britain will not impose any Duty, Tax, or Assessment whatever, payable in any of His Majesty's Colonies, Provinces and Plantations in North America, or the West Indies, except only such Duties, as it may be expedient to impose for the regulation of commerce, the net produce of such Duties to be always applied to and for the use of the Colony, Province or Plantation, in which the same shall be respectively levied, in such manner as other duties collected by the authority of the respective General Courts or General Assemblies, of such Colonies, Provinces or Plantations, are ordinarily paid and applied.

And whereas it is necessary for the general benefit of the British Empire, that such Power of Regulation of Commerce should continue to be exercised by His Majesty, and the Parliament of Great Britain subject nevertheless to the condition herein before specified, with respect to the application of any Duties which may be imposed for that purpose;

Be it therefore Enacted by the authority aforesaid, that nothing in the Act contained shall extend, or be construed to extend, to prevent, or affect the due execution of any Law, which has been, or shall be enacted by His Majesty, and the Parliament of Great Britain for establishing Regulations, and Prohibitions, and for imposing, levying and collecting Duties, for the Regulation of Commerce and Navigation.

28. Provided always, and be it enacted by the authority aforesaid, that all Duties which shall be so imposed shall be subject and liable to the sole disposition of the Legislatures of the respective Provinces, as established by this Act.

Governor, or Lt.-Govr., or other person or persons administring the Government of the said Provinces respectively, setting forth, that he, she, or they, is, or are desirous of holding the same in free & common Soccage, such Governor, or Lt.-Govr., or other person as aforesaid, shall thereupon cause a fresh grant to be made to such person, or persons, of such Lands to be holden in free and common Soccage.

NOTE.—The 9th Section of the Quebec Act, 14, G, 3, 83, is not repealed by this Bill, That Section provides that the Regulations in that Act (re-establishing the Canadian Laws in cases of Property,) should not extend to such Lands as the King should grant to be holden in free and common Soccage. It is presumed, therefore, that the English Laws will attach on these Lands, and that a special Enactment for that purpose is not necessary.

29. Provided nevertheless, and be it Enacted by the Authority aforesaid, That such surrender & Grant shall not avoid, or bar any right to any such lands so surrendered, or any interest in the same, to which any person or persons, other than the person or persons surrendering the same shall have been intitled, either in possession, remainder, or reversion, or otherwise, at the time of such surrender, but that every such right & Title shall be as valid, & effectual, as if such surrender & Grant had never been made.

30. And whereas it has been declared by an Act passed in the 18th year of the Reign of His present Majesty, That the King & Parliament of Great Britain will not impose any Duty, Tax or Assessment whatever, payable in any of His Majesty's Colonies, Provinces Plantations in North America, or the West Indies, except only such Duties as it may be expedient to impose for the Regulation of Commerce, the net Produce of such Duties to be always applied to, & for the use of the Colony, Province or Plantation, in which the same shall be respectively levied, in such manner as other duties collected by the authority of the respective General Courts or General Assemblies of such Colonies, Provinces

29. And be it further enacted by the authority aforesaid, that nothing in this act contained, shall extend, or be construed to extend, to prevent or hinder His Majesty from appointing, erecting and constituting, such Executive Council or Councils, as He may judge proper, in each of the said Provinces respectively, or from nominating, and appointing thereto from time to time such Persons, as He shall think fit to compose the same, or from removing therefrom any Person or persons whom He may think fit so to remove.

30. And be it further enacted, that nothing in this Act contained, shall extend or be construed to extend, to hinder His Majesty, His Heirs or Successors, from erecting, constituting and appointing, by His or Their letters Patent, under the Great Seal of Great Britain, such courts of civil, criminal and Ecclesiastical Jurisdiction, within, or for, the said Provinces respectively, and from appointing from time to time, such Judges and Officers, thereof, as His Majesty, His Heirs, or Successors, shall think necessary, or proper for the circumstances of the said Provinces.

or Plantations are ordinarily paid, & applied ;

And Whereas it is necessary for the general benefit of the British Empire, That such power of regulation of Commerce should continue to be exercised by His Majesty, & the Parliament of Great Britain, subject nevertheless to the condition hereinbefore specified ; with respect to the Application of any duties which may be imposed for that purpose ;

Be it therefore enacted, by the Authortiy aforesaid, That nothing in this Act contained shall extend, or be construed to extend to prevent or affect the due execution of any Law which hath been or shall be enacted by His Majesty, & the Parliament of Great Britain for establishing Regulations and Prohibitions, and for imposing, levying and collecting Duties for the regulation of Commerce & Navigation.

31. Provided always & be it Enacted by the Authority aforesaid, That all duties which shall be so imposed shall be subject & liable to the sole disposition of the Legislature of the respective Provinces as established by this Act.

31. And whereas by reason of the distance of the said Provinces from this country and of the change to be made by this Act in the Government thereof, it may be necessary that some interval should elapse between the notification of this Act to the said Provinces and the day of its commencement.

Be it therefore enacted by the authority aforesaid that it shall and may be lawful for His Majesty with the advice of His Privy Council, to fix and declare the day of the commencement thereof.

Provided that such day shall not be more than six months after the notification of the said Act, in each of the respective Provinces as to all and every part thereof, excepting only the issuing of the Writs of Election and calling together the Houses of Assembly of each of the said Provinces respectively which it shall and may be lawful for His Majesty by and with the advice of His Privy Council to order, and direct at any time not exceeding the first day of January in the year of Our Lord, one thousand seven hundred and ninety-two.

But to the end of a temporary provision for the welfare of the said Provinces until laws shall be made for the same by the Legislative Councils and Assemblies thereof respectively as herein before declared.

Be it also enacted by the same authority that the Governor, Lieutenant Gov-

ernor or Person administering His Majesty's Government in each of the said Provinces with the Legislative Council shall and may make Ordinances to be binding within the same respectively without an Assembly, to the extent and under the conditions restraints and Limitations declared respecting the power and authority of the Legislative Council, mentioned in the Act of the fourteenth year of His Majesty's Reign Chapter 83.

32. And be it further Enacted by the Authority aforesaid, That nothing in this act contained shall extend, or be construed to extend to prevent or hinder His Majesty from appointing, erecting and constituting such executive Council or Councils as he may judge proper, in each of the said Provinces respectively. Or from nominating, & appointing thereto from time to time, such persons as he shall think fit to compose the same, or from removing therefrom any person or persons whom he may think fit so to remove.

33. And be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to hinder His Majesty, His Heirs and Successors from erecting, constituting & appointing by his, or their Letters patent, under the Great Seal of Great Britain, such Courts of Civil, Criminal, & Ecclesiastical Jurisdiction, within, or for the said Provinces respectively, & from appointing, from time to time, such Judges, & Officers thereof, as His Majesty, His Heirs, or Successors shall think necessary or proper, for the circumstances of the said Provinces.

34. And whereas, by reason of the distance of the said Provinces from this Country, & of the change to be made by this Act, in the Government thereof, it may be necessary that some interval should elapse, between the notification of this Act to the said Provinces, and the day of its Commencement,

Be it therefore Enacted, by the Authority aforesaid, That it shall & may be lawful for His Majesty, by, & with the advice of His Privy Council to fix and declare the day of the Commencement of this Act; Provided that such Day shall not be more than (six) months after the (25th day) of June in the year of Our Lord, 1790.

Additional Clause marked B.

And whereas doubts have arisen concerning the Partition Line between the Province of Quebec and the Province of New Brunswick and the Coast of the Fisheries in the Gulph of Saint Lawrence is at present a part of each Province, and many Inconveniences prejudicial to the due management of the said Fisheries arise from the want of a regular and competent Government, and the uninhabited condition of that part of the Coast comprehended in the said Province of New Brunswick.

Be it therefore also enacted by the authority aforesaid that it shall be lawful for His Majesty, His Heirs or Successors, with the advice of His or their Privy Council, to declare and establish the Partition and division between the said two Provinces of Lower Canada and New Brunswick by any Instrument to be issued under the Great Seal of Great Britain.

Provided always, and be it also hereby enacted that the declaration and establishment, so to be made, shall not operate to the defeating or annulling of any title or Property, already duly acquired under the authority of either of the said Provinces; and that until His Majesty, His Heirs or Successors, shall issue such instrument and declaration, the Jurisdiction of the said Province of Lower Canada shall extend over and comprehend all that part of the said Province of new Brunswick along the coast of the said Gulph of St. Lawrence, which is situated to the northward of a line running through the middle of Trocadie Bay to the most westerly or extreme head thereof, and thence in a westerly direction at the distance of ten miles from the shore of the said coast until it strikes the boundary of the Province of Lower Canada, but that any titles to estates in Lands within the present limits of New Brunswick shall be as valid as if this Act had never been made.

No. 7.—CHIEF JUSTICE SMITH TO LORD DORCHESTER.

(*Canadian Archives, Series Q., Vol.* 44–1, *p.* 61).

QUEBEC, 5th February, 1790.

MY LORD,—The clause inclosed for the Trial of extra provincial offences appears to me to be necessary to encourage that spirit of enterprize, which leads our people in the Fur Trade to explore the Depths of this Continent and has carried them almost

over to the Eastern shores of the Pacific Ocean. This Commerce, elsewhere wearing out, by the encreased Population of the Northeastern parts of the antient Continent, will soon become the Monopoly of our Nation. I have couched it in terms least likely of any that occur to me, to excite the Jealousy of our neighbours.

The Bill with the other additions for the intended Reforms in this Country, left to be supplied by Your Lordship's local experience, greatly improves the old mould of our Colonial Governments; for even those called the Royal Provinces, to distinguish them from the Proprietary and Chartered Republics of the Stuart Kings had essential Faults, and the same general tendency.

Mr. Grenville's plan will most assuredly lay a foundation for two spacious, populous and flourishing Provinces, and for more to grow out of them; and compose, at no remote period, a mass of Power very worthy of immediate attention.

I miss in it, however, the expected Establishment to put what remains to Great Britain of Her Antient Dominions in North America, under one general direction, for the united interests and safety of every Branch of the Empire.

The Colonies of England were flourishing Colonies. It was the natural effect of the connection, the Character of the People, and the Genius of the English Constitution.

Ours will be so too. But that prosperity may be their ruin, and I trust in God that the wisdom which is dictating the new arrangements for us, will perfect its work by a system to prevent our repeating the Folly that has plunged the several parts of the Continent into poverty and distress.

Native as I am of one of the old Provinces, and early in the public service and Councils, I trace the late Revolt and Rent to a remoter cause, than those to which it is ordinarily ascribed. The Truth is that the Country had outgrown its Government, and wanted the true remedy for more than half a century before the Rupture commenced. To what period it continued to be practicable is problematical, and need not now be assigned.

To expect wisdom and moderation from near a score of Petty Parliaments, consisting in effect of only one of the three necessary branches of a Parliament must, after the light brought by experience, appear to have been a very extravagant expectation. So it has been to my view above twenty years, and I did not conceal it.

My Lord, an American Assembly, quiet in the weakness of their Infancy, could not but discover in their elevation to Prosperity, that themselves were the substance, and the Governor and Board of Council were shadows in their political Frame.

All America was thus, at the very outset of the Plantations, abandoned to Democracy. And it belonged to the Administrations of the days of our Fathers to have found the cure, in the erection of a Power upon the Continent itself, to controul all its own little Republics, and create a Partner in the Legislation of the Empire, capable of consulting their own safety and the common welfare.

To be better understood by Your Lordship, I beg leave to put a paper under this cover, in the form of additions to the present proposed Bill, partly suggested by the necessity of something to give a real and useful significancy to Your Lordship's nominal command of more Provinces than this.

As to the moment for commencing such an Establishment, that certainly must be the worst when it shall be most wanted. And since its Erection will speak Intentions, and may give Umbrage, that will be the best time in which that Umbrage shall excite the least apprehension.

The Debility of our Neighbours is notorious, nor can be succoured during the Distractions of France, and the consternation spread by those Distractions through all Europe.

Here in these provinces, where it is of much consequence to set out with good habits, what juncture can be so favourable, as when the thousands thrown into them, under your Patronage and Direction, have their Loyalty confirmed by Resentments for their Sufferings; and so are disposed to take, and especially from your hand, whatever the wisdom of Great Britain shall prescribe, as a Gift of her Benevolence.

As to Canada, I mean that part of it to become Lower Canaha, the Biasses in it, if there are any remaining, to the Stock from which it was severed, are become

perfectly harmless by that Body of English Loyalty Your Lordship has planted in the West. By their aversion to share in the Burdens and Miseries of the Revolted Colonies, and by the growing Discernment, that our safety and Prosperity is only to be found in the Commerce and Arms of Great Britain.

I am old enough to remember what we in the Maritime Provinces dreaded from this French Colony in the North, and what it cost to take away that dread, which confined our Population to the Edges of the Atlantic; and my mind is therefore carried, under such an Administration as the present one, into a strong Persuasion, that nothing will be neglected to enable Great Britain so to serve herself of that Power, she already possesses here, as to check any Councils to be meditated to her Detriment, by the new Nation she has consented to create: She may do more! but this is out of my province.

So much, My Lord, you'll forgive me, I could not repress what I owed to the vindication of my zeal in the sacrifice of my fortune for the British Interest, and as I think still for the best Interests too of the Country of my Birth. Most of all I owed it to my Sovereign, in whose Grace I found a Relief at the end of the Storm.

With a deep and grateful sense of all your kindnesses and the honour of your request of my poor abilities, upon questions of so great magnitude and consequence,

I am, My Lord,

Your Lordship's most humble and most obedient servant,

WM. SMITH.

Right Honble
Lord DORCHESTER.

No. 8.—PROPOSED ADDITIONS TO THE NEW CANADA BILL FOR A GENERAL GOVERNMENT.

(*Canadian Archives, Series Q, Vol.* 44-1, *p.* 68.).

And to provide still more effectually for the Government, safety and prosperity of all His Majesty's Dominions in North America and firmly to unite the several branches of the Empire.

(1). Be it also enacted by the same authority that there shall be (with a Governor General) a Legislative Council and a General Assembly for all His Majesty's Dominions and the Provinces whereof the same do now or may hereafter consist in the parts of America to the Southward of Hudson's Bay and in those seas to the Northward of the Bermuda or Somer's Islands; And that His Majesty, His Heirs and Successors shall have power by and with the advice and consent of the said Legislative Council and General Assembly, to make laws for the peace, welfare and good Government of all or any of the said Provinces and Dominions. And that such Laws being passed by the said Legislative Council and General Assembly, and being assented to by His Majesty, His Heirs and Successors, or being assented to in His Majesty's name by the Person appointed or to be appointed Governor General of the Provinces and Dominions aforesaid, or such person as may be appointed by the Crown to exercise the powers of Governor General on the death or absence of such Governor General, shall be valid and binding on the inhabitants of the said Dominions or such part thereof as shall for that purpose be expressed.

(2). And be it enacted by the same authority that such Legislative Council may be composed of at least members from each of the said Provinces to be appointed as His Majesty by His Royal Instructions to the Governor General for the time being shall authorize and direct who shall hold their several places in the said Council for Life subject nevertheless to such terms and conditions as are hereinbefore declared to be annexed to the trust and station of a member of the Legislative Council of either of the said Provinces of Upper and Lower Canada and saving to His Majesty's Governor General or the Person upon whom that trust by His Majesty's appointment may devolve, power and authority from time to time by an

instrument under the Great Seal to be created for the British Dominions in North America to constitute, appoint and remove the Speaker of such Legislative Council.

(3). And be it enacted by the same authority that such General Assembly may be composed of such persons as may be elected by the majority of the House of Assembly of the Province for which they serve to be manifested by Triplicate Instruments under the hand and seal of the Speaker thereof to the Governor General, the Speaker of the Legislative Council and the Speaker of the General Assembly.

(4). And be it also enacted by the same authority that to give any acts of the said Governor General, Legislative Council and General Assembly, the force and authority of a Law, the same shall have been assented to in the said Legislative Council by the majority of the voices forming a house of Council according to His Majesty's appointment thereof, and shall have been assented to in the said General Assembly by such and so many Voices as will make it the Act of the majority of the Provinces, having right to be represented in the said General Assembly, and it shall be a House of General Assembly as often as there shall be assembled one or more members duly elected by each of the Assemblies of the said Provinces or of the greater number of such Provinces.

(5). And be it further enacted by the same authority that it shall be lawful for His Majesty, His Heirs and successors to authorize and direct His Governor General for the time being or the Person upon whom that trust by His Majesty's appointment may devolve, in His Majesty's name and by an instrument under the great seal of the British Dominions in North America to summon and call together such General Assemblies in such manner as His Majesty shall be pleased to signify and command by His Royal Instructions to such Governor General.

(6). And be it also enacted by the same authority that the Governor General under such instructions as he may have received from His Majesty may assemble the said Legislative Council and General Assembly where, and prorogue and dissolve them when and as often as he shall judge it necessary, Provided always and be it enacted that they shall be called together one at least in every two years, and to continue to have the right of sitting seven years from the Teste or day of the process or summons for their election unless they shall be sooner dissolved by the Authority aforementioned. But no member either of the said Legislative Council or General Assembly shall be permitted to sit or vote in the General Legislature until he shall have taken such oath as hereinbefore directed to be taken by the members of the Legislative Council and Assembly of Upper or Lower Canada, or not being an inhabitant of either of the said Provinces last mentioned, such other oaths and qualifications as are taken to become a member of the Parliament of Great Britain as by His Majesty's Instructions shall be directed and required.

(7). And be it also enacted by the same authority that whenever any Bill which has been passed by the said Legislative Council and by the said General Assembly shall be presented for His Majesty's assent to the Governor General for the time being or the person exercising that trust under His Majesty's authority, it shall and may be lawful for such Governor General or other person exercising the said trust, at his discretion, subject nevertheless to such instructions as he may from time to time receive from His Majesty, His Heirs and Successors, either to declare His Majesty's assent to such Bill, or to declare that he withholds such assent, or that he reserves the said Bill untill His Majesty's Pleasure shall be signified thereon. And no Bill so to be presented and not assented to in manner aforesaid shall have the force of a Law.

(8). And be it further enacted by the same authority that nothing in this Act contained shall be construed to prevent His Majesty from appointing, erecting and constituting such general and executive Council and Councils as he may judge proper for the said Provinces and Dominions in general, and any other office, in His Royal Judgment and discretion requisite for the said General Government, or from nominating and appointing thereto from time to time, such persons as he shall think fit to compose the same Executive Council, or to execute such offices or from removing therefrom any person or persons whom he may think fit to remove.

(9). And be it also enacted by the same authority that it shall and may be lawful for His Majesty to give authority to His said Governor General, or the person exercising that trust, on his arrival in either of the provinces within his commission, to assume the authority and to perform all the duties and functions which the Lieutenant Governor thereof might exercise and perform, and the powers and authority of such Lieutenant Governor shall be suspended and so continue during the time of the Governor General's being within the same province, and that it shall also be lawful for His Majesty to give to the said Governor General for the time being, tho' absent in some other province of His General Government, authority respecting any act of any of the Provinces of such nature and tendency as His Majesty may see cause by His Royal Instruction to describe, to suspend the execution of such act until His Majesty's Pleasure shall be signified respecting the same; to which end it shall be the duty of the person administering the Government in every Province subject to the Governor General's authority, to transmit to him a copy of every bill to which he has assented as soon as possible after the enacting of the same into a law, and shall upon the suspension thereof by the Governor General immediately cause the same to be made known by proclamation under the great seal of his Province, in the manner most effectual for making the same universally known to the inhabitants of the same Province, and all others whom the same may concern.

(10). And be it further enacted by the authority aforesaid, that nothing in this act contained shall be interpreted to derogate from the rights and Prerogatives of the Crown for the due exercise of the Royal and executive authority over all or any of the said Provinces, or to derogate from the Legislative Sovereignty and Supremacy of the Crown and Parliament of Great Britain; but the Acts of Legislation of either of the said Provinces, as well as the Acts of the Governor General and the Legislative Council and General Assembly so to be made, shall be subject to the Royal disallowance as exercised heretofore respecting the laws of any of the British Provinces, and the said Dominions and all the Provinces into which they may be hereafter divided shall continue and remain to be governed by the Crown and Parliament of Great Britain as the Supreme Legislature of the whole British Empire.

And whereas it may so happen that offences may be committed, which as the Law now stands, may be only triable and punishable in England by virtue of divers Statutes, as Treason or Murder perpetrated in foreign parts, and yet the offender may be taken and imprisoned for such offence, in one or other of His Majesty's Provinces in America.

Be it therefore enacted by the authority aforesaid that such offender may be tried and punished in such of His Majesty's Provinces where he may happen to be imprisoned, and for that purpose may be proceeded against before Commissioners of Oyer and Terminer constituted from time to time under the Great Seal of the Province, as nearly as may be according to the course in the realm of England for the Trial of offences of the like nature.

No. 9.—MR. DUNDAS TO LORD DORCHESTER.

(*Canadian Archives, Series Q., Vol.* 52, *page* 213.)

WHITEHALL, 16th September, 1791.

The Right Honble,
LORD DORCHESTER.

MY LORD,—In the letters which were written to your Lordship by my Predecessor, Lord Grenville, I find you were long ago fully informed by his Lordship of His Majesty's intention of dividing His Province of Quebec into two separate Govern-

ments, to be called the Province of Upper Canada, and the Province of Lower Canada, and of Regulations which were proposed to be made in consequence, for the better government of that part of His Majesty's Dominions.

In pursuance of that intention I am now to inform your Lordship that a Bill was introduced into Parliament and passed during the last session, intitled "An Act to repeal certain parts of an Act passed in the Fourteenth year of His Majesty's Reign intituled, an Act for making more effectual Provision for the Government of the Province of Quebec in North America; and to make further provision for the government of the said Province," a copy of which I inclose together with a commission under the great seal, revoking your former commission of Governor of the Province of Quebec, and vesting you with the chief Government of the two Provinces before mentioned and also Instructions under the Royal Sign Manual applicable to the Regulations which His Majesty under the Act has thought fit to establish.

In framing the Instructions to your Lordship with respect to the Quorums of the Legislative Councillors and of the Members of the Assembly for Lower Canada, some difficulties occurred in fixing on the number which might be proper to compose such Quorums, and on a consideration of the subject it was rather thought adviseable that the number of which such Quorums should consist, should be left to those Bodies to determine. The mode which His Majesty's Servants recommend for adjusting this point, is either by an Act of the Legislature, or what may perhaps equally answer the purpose, that of making the regulation now to be fixed upon, a standing order of each of the two Houses respectively and I have it in command to desire that your Lordship will on the first meeting, recommend this object to their consideration, and likewise the forming other such Rules or standing orders for regulating the form of proceeding in the Council & Assembly, respectively, as may be most conducive to the regular dispatch of Business.

Your Lordship will find on a perusal of the Act that the number of Representatives of which the Assembly of Lower Canada was originally intended to consist has been considerably increased. This measure will render a new Distribution necessary instead of that which was proposed by your Lordship in your Letter to Lord Grenville, No. 15, and I wish your Lordship particularly to consider whether for the sake of convenience and dispatch in deciding upon Elections and preventing the inconvenience of too great a number of Electors, the Towns of Quebec and Montreal might not for that purpose be divided into two separate and distinct Districts, and that these Towns should return Four Members each, by electing Two in each District. Your Lordship will see by the copy of a paper, delivered to me by Mr. Lymburner that he proposes that each of the Towns of Quebec and Montreal should chuse seven members each, but that arrangement His Majesty's servants entirely disapprove of, and would be sorry that such a distribution should on any account take place.

When your Lordship shall have considered this subject maturely, and have arranged your Plan for the Representatives to be chosen by each of the Towns and Circles respectively, you will as soon as conveniently may be issue your Proclamation accordingly.

According to the best opinion which I can obtain it seems to me advisable that excepting in the instances of Trois Rivières, St. John & William Henry, each of the other Circles and Towns or Townships in Lower Canada should elect one Representative, and as the extent of the several Towns from the introduction of new settlers and from the probable increase of Population will hereafter be likely to be enlarged, it seems to be desireable that for the same purpose of preventing too great a number of Electors for any place, that limits should now be fixed within which the Electors for the Representatives of the Towns should be resident, and whenever the number of new Inhabitants resident within the limits adjacent and possessed of qualifications to vote for Towns or Townships shall increase so as to render it expedient that they should be represented in the House of Assembly, a new Town or Township shall in like maaner be established within fixed limits for the purpose of separately electing an additional Representative in the House of Assembly, and so on from time to time as often as the occasion may require.

Your Lordship has I have no doubt been informed of the disputes & disagreements which have at times taken place between the Councils & Assemblies of the different Colonies respecting the Right claimed by the latter that all Bills whatsoever for granting Money should originate with them. The principle itself as far as it relates to any question of imposing burthens upon the subject is so consistent with the spirit of our Constitution that it ought not to be resisted, at the same time it would be prudent, if possible, to avoid any unnecessary discussion of its application in minute cases & above all that it should not be so extended by overstrained refinements as to produce embarrassment & perplexity in the progress of Public business.

As there does not at present appear to be sufficient provision for the support of the Protestant clergy either in Upper Canada or in Lower Canada the collection of Tythes has under the Act of the present year been suffered to continue; But your Lordship will understand that it is not wished to continue this burthen longer than is necessary for the competent provision of the clergy. If therefore the Proprietors of Lands liable to the payment of Tythes shall be induced to concur with your Lordship's recommendation in providing a sufficient fund for clearing the reserved Lands and for building Parsonage Houses on the several Parsonages which may be endowed under the Act of the last Session of Parliament, and at the same time provide an intermediate fund for the maintenance of the clergy during the period that will be required for the purpose of so clearing these reserved Lands, the obligation of Tythes may then cease. I have thought it necessary to explain this subject minutely to your Lordship, that by making it understood among the Proprietors of those Lands they may perceive the means which are in their own power to relieve themselves from a burthen which is naturally irksome to them.

By the Act of the last Session the duties payable to His Majesty under the Act of the 14th year of His Majesty's Reign, Cap. 88, on Articles imported into the Province of Quebec are suffered to remain upon their former footing; but I have it in command to intimate to your Lordship that as soon as the Legislatures of the Provinces of Upper Canada & Lower Canada shall have passed laws laying the same or other Duties to an equal amount to those which become payable under the Acts, & such Act shall have obtained the Royal Assent, His Majesty's Ministers will be ready to propose to Parliament a Repeal of the Act above mentioned.

NOTES BY MR. LYMBURNER, TRANSMITTED IN THE PRECEDING LETTER.

That in the instructions which shall be sent to the Governor of the Province of Lower Canada, it should be laid down as a rule for his conduct in dividingthe Province and apportioning the number of Representatives for the House of Assembly— that one half of the number of Representatives to be elected shall be chosen by the Towns. And therefore for the present that—

Quebec shall chose	7	members.
Montreal	7	"
Three Rivers	3	"
St. Johns	2	"
William Henry	2	"
Boucherville	1	"
Assomption	1	"
Terrebonne	1	"
Beauport	1	"
For the Towns & boroughs	25	"

The great proportion of the Members for the British Parliament which are elected by the Boroughs in England enables Government to secure more easily that influence in the House of Commons which is so necessary for carrying on the Public Business smoothly and with uniformity. The commercial Interest in Canada is entirely concentered in the Towns of Quebec and Montreal and it is no more than fair that the com-

merce should have such a proportion of the Representation as will not only secure from oppression but as will hold out the prospect of protection and encouragement; it is only by its commerce that the Province can be valuable to Great Britain or that the Province can become prosperous and wealthy—the Landed Interest will of course have the greatest influence in the Council—I therefore submit that Government in arranging the House of Assembly should not put it in the power of ignorant and obstinate men to carry into effect the absurd Idea that it is the Land holders Interest to oppress the commerce Besides as Merchantile property consists entirely in Personal Debts and consumable Effects it is more liable to be lost and destroyed than Landed Property. And therefore, like the sensitive plant. it shrinks from the touch of Intestine troubles or commotions.

It cannot be doubted that it was owing to the great influence of the Landed Interest which predominated so decidedly in all the Assemblies of the Colonies now the United States of America that the late disputes with the Mother Country were begun and supported.

I further submit if it would not be proper that the Governor be instructed concerning the interference of the Legislative Council in originating Money Bills so as to avoid those kind of disagreeable disputes which have lately distracted the Province of Nova Scotia.

No. 10.—NOTES AND OBSERVATIONS ON THE ACT OF 1791.

(*Canadian Archives, Series Q, Vol.* 57-2, *p.* 323.)

Note 1.	*Observations.*
The establishment of a General Government for all the King's Provinces in North America.	
To consist of a Governor General, a General Legislative Council, & a House of General Representatives, to be chosen by the Assemblies of the different provinces, with a General Executive Council, and such other Officers as the King may see fit. The necessity of a General Government for the Colonies was urged from New York in 1783, and again in 1790, in the letter No. 15 to Lord Grenville of the 8th February from Quebec, particularly the enclosures C and D. Without a measure of this kind the general interest of the Empire, as well as the true interest of the Colonies themselves will suffer, and at a future day of their prosperity the unity of the Empire will be endangered. With the introduction of a General Government the Colonies of Nova Scotia and New Brunswick should at the same time be put on a footing with the two Canadas by giving them quadrennial elections, seats in the Legislative Council for life and their lands free from Quit Rent.	
Note 2.	*Observations.*
The establishment of a free course of justice throughout every part of His Majesty's North American Dominions.	The inconvenience here stated cannot, I consider, be effectually remedied until a proper opportunity occurs for settling the Boundary between His Majesty's Provinces and the Amer-

In the present unsettled state of the Boundary between the Colonies and the United States neither our Courts of Justice nor our Legislatures can operate co-extensively with the King's Dominions and possessions. Seo No. 67 to Lord Sydney of 9th June, 1788; No. 125, of 22nd August, 1789, and No. 15 to Lord Grenville of 8th February, 1790, with Enclosures F and G.

Note 3.

The establishment of a proper mode of trial in cases of Murder and other offences committed in parts of the interior Country, which by the interpretation of our limits may be found extra provincial.

For want of a provision of this kind several Murderers have escaped unpunished. Our fur trade must be greatly injured without it.

Sec. No. 67, to Lord Sydney of 9th June, 1788; Nos. 81, 83 and 86 of October, 1788; No. 13, to Lord Grenville of October, 1789; No. 15, of 8th February, 1790, particularly the enclosures C and E, and No. 53 to Lord Grenville of 25th September, 1790.

Note 4.

A more perfect organisation of the Courts of Justice in Lower and Upper Canada.

ican States by Commissioners jointly appointed by both Powers. In the meantime it is, and for this purpose it is presumed, that the Orders and Directions of the Governor to the Commanders of such Parts as are without the limits may in a great measure lessen such inconveniences as are stated in the letters referred to. For at all events this authority of the Governors, so long as the Parts are held, must be co-extensive with their limits. It is certainly of consequence that justice should be administered to those who are resident *within the extent of the authority of the Crown though not within the Limits of the Province.* *Until therefore the present Treaty is well and truly fulfilled on all sides, it may perhaps for this purpose be considered to give a certain latitude even to the courts themselves as not being an *absolute* Bar to their jurisdiction until it has been fulfilled *bona fide* on both sides.

Upon this principle it seems as if the Courts might entertain causes at the suit of such of the King's subjects as really look upon themselves as within their jurisdiction, and many of whom would probably withdraw themselves within it, should it finally be settled that they are on the American side. [An alternative reading from * is: Until therefore the present Treaty is well and truly fulfilled on all sides, the Courts of Justice are themselves the best judges of the extent of their jurisdiction and how far the present Treaty may be supposed to give them a certain latitude in extending their jurisdiction to those whose situation as to the boundary may be considered as doubtful, but who consider themselves as His Majesty's subjects under the jurisdiction of the Province.]

At the sametime it might be highly improper for the Courts or the Legislature to interfere where the litigants are not only decidedly out of the limits, but under such administration as probably to deny their authority. In cases of this latter kind such orders and directions so far as the security of the places in question admit of it, being comformable to the general law of the Province, so long as the *Crown* exercises authority over the place where the parties reside it must be by orders and directions issuing from the Governor and varying with circumstances, which occasion them, that they are to be governed.

Observations.

With respect to the 3rd suggestion, it is conceived that by the Statute of Henry 8th a murder may be tryed wherever committed (if committed upon a subject) according to the provisions of that Act. But if there be any doubts as to Canada, it may make a clause in the proposed Judicature Bill that the Court thereby constituted shall also be a Court of Over and Terminer, to try all Treasons, Murders and Felonies in like manner as the same could be tryed here by virtue of the laws of England in the like cases made and provided.

Observations.

A plan for the purposes stated in the 4th suggestion has already been transmitted to Lt. Gov.

One Supreme Court of Common Pleas for each Province will give uniformity, energy and dispatch to the administration of justice.

See No. 92 to Lord Sydney of 10th July, 1788; No. 104 to Lord Sydney of 14th March, 1789; No. 23 to Lord Grenville of 27th May, 1890, and No. 62 to Lord Grenville of 24th October, 1790.

Note 5.

The establishment of a respectable militia.

To effect this in Canada a law was passed in 1787 enabling the Governor to embody draughts to serve for two years in rotation, under a permanent corps of officers.

This measure has not yet been carried into execution.

It should be extended to all the King's Colonies.

Without it the Dominion of Great Britain on the Continent of America will always be precarious.

A quantity of small arms should also be deposited in the King's Colonies, for the use of the Militia in general, in case of emergency.

See No. 19 to Lord Sydney of the 13th June, 1787; Lord Sydney's letter to Lord Dorchester of the 3rd September, 1788, and No. 90 to Lord Sydney of the 4th November, 1788.

Note 6.

The establishment of Regulations for the punishment of offences committed by the officers and crews of the King's Vessels, navigating the Lakes, including such as may navigate the River and Gulph Clarke which plan if carried into complete execution in all it parts, will effect, I am persuaded, in Lower Canada everything required on this head. I have always conceived that it is intended to constitute the Supreme Court in Upper Canada upon the same principles.

The enclosure in this dispatch contains the proceedings of the Council and their report on the Prerogative Court. This Spiritual and Ecclesiastical Court is provided for by the new Act, part of its functions being vested in the Commissions of the Bishop of Nova Scotia *pro tempore*, and part in the Governor.

Observations.

It is conceived that Lord Dorchester might be instructed to propose a new law to the Legislature for embodying Two or Three Battalions of Militia, stating the time of service to be for two or three years, and then to have fresh Ballots, and so to proceed as often as the Militia is called out at the end of every two or three years. This would be an Act for a regular permanent Militia. But Query? Whether it would be necessary to keep the same embodied more than a month or six weeks, in every year, during which time only the men and officers are to be paid.

The expense otherwise would be considerable.

The other particulars mentioned by Lord Dorchester seem proper.

It appears by the 5th suggestion that no steps were taken to carry into execution the Militia Act passed in Canada in 1787, and I am of opinion that it might now be a proper measure to propose a permanent Militia Act, which as far as local circumstances will admit of it should be in the general outlines of its formation in a great measure similar to our own.

The time of service I apprehend should not be less than three nor more than five years, and then each corps to be renewed by fresh Ballots. But neither the men nor officers should receive any pay except during the time they remain embodyed, such time not to be less than —— in every year, and only one half of the Militia to be called out. At the sametime there should be a provision to enable the Governor, at his discretion, to call the whole out at any time, but not to keep them embodied longer than —— weeks without the consent of the Legislature of the Province.

I will only add that the Act for so important a measure as the constituting of a permanent Militia should either be transmitted home for His Majesty's assent or rather a copy of the Bill before its passage thro' the Provincial Legislature.

It will be certainly necessary to deposit a proportionable quantity of small arms within the Province, and it will be equally so that some coercive mode should be adopted for their preservation, and their regular and frequent production.

Observations.

This must be submitted to the Admiralty as far as it affects their jurisdiction, who may in consequence constitute an Admiralty Court for the Trial of Offences committed on what shall be

of St. Lawrence, under Provincial Commissions.

For the want of such Regulations the Ringleaders of a Conspiracy to desert entirely from one of the King's Vessels, have escaped punishment and only been dismissed the service.

See No. 90 to Lord Sydney of the 4th November, 1788.

deemed the High Seas. All others come under the Supreme Court of the Province.

I have communicated the subject of Your Lordship's 6th suggestion to the Lords Commissioners of the Admiralty, as all offences committed on what may be deemed the High Seas are cognizable only by a Court of Admiralty, constituted by their Lordships. All other offences will be subject to the jurisdiction of the Supreme Court constituted in the manner I have already alluded to.

The want of due discipline with respect to the provincial naval Department noted by Your Lordship in the 6th suggestion has been likewise mentioned to me by Lt. Governor Simcoe in his Letter of the 4th of November last, an Extract of which, as far as it relates to that subject, I now enclose to Your Lordship. It is certainly highly necessary that some coercive regulations should be adopted with respect to so important a portion of the strength of the country as the naval force upon the Lakes and in the River and Gulph of St. Lawrence.

With this view it seems adviseable that Your Lordship should consult the several Judges and also the Crown Lawyers of the Provinces of Upper and Lower Canada, as to the mode by which in their judgment such Regulations may be enforced as Your Lordship shall upon communication with Lt. Governor Simcoe think it expedient to admitt and transmit for the information of His Majesty their opinion of the mode which it might be best to adopt for legalizing and enforcing such regulations. In the meanwhile I have no doubt but that the orders and directions which will be given by Your Lordship with the prompt and vigilant attention of Lt. Governor Simcoe to the conduct of both the men and officers in the Naval Department in Upper Canada will check the evil now complained of until those persons shall be made more decidedly amenable to Military Discipline.

Note 7.

The defence of the King's Provinces in general.

This subject is comprised under the heads of Fortifications, Posts and Communications, a proper Boundary between us and the States, Troops, Militia, Navigation of the Lakes, Means of securing the attachment of the Colonists, as well as the Friendship of the Neighbouring States and the Indians.

See the following letters to Lord Sydney :

No. 10. 16th January, 1787.
13. 28th February "
19. 13th June "
33. 18th August "
43. 8th November "
44. 9th " "
51. 9th January, 1788.
58. 27th March "
62. 17th May "
73. 10th July "
90. 4th November "
114. 6th June, 1789.

Observations.

With respect to *Fortifications, Posts and Communications*, the opinion of the King's Military Servants may be taken upon such points as Lord Dorchester, after his arrival at Quebec, does not like to determine upon himself without first referring them for consideration here. In doing which His Lordship will of course state fully his own opinion of what he conceives should be done.

The Report of the Commanding Engineer upon the Fortifications at Quebec stated as ready to be brought forward should be immediately submitted to the Duke of Richmond. I have already given ample Instructions in my correspondence with Lt. Governors Clarke and Simcoe (Lord Grenville to Mr. Hammnod) on the subject of such a boundary Line as may do away with all bickerings between us and the American States, secure the attachment of the Colonists and place the Indians in the best possible situation as to both parties. Indeed until the effect of this proposition is ascertained it will be difficult to determine upon the other points comprised in this suggestion, viz. : What fortifications, Posts and Com-

and the following letters to Lord Grenville :

No. 18. 8th March, 1790.
43. 21st July "
47. 25th September "
52. 24th October "
58. 24th " "
60. 24th " "
75. 10th November "
79. 23rd January, 1791.
85. 14th June "

also the letter to Mr. Dundas of the 23rd March, 1792.

There is a Report of the Commanding Engineer on the Fortifications of Quebec, ready to be brought forward whenever His Majesty's Ministers may have leisure to attend to this subject.

Note 8.

The Tenures of Land in respect to Mines and Minerals, Quit rents, Mutation Fines and the Conversion of Feudal Tenures into free and common Soccage.

The restraint upon Mines and Minerals, other than Gold and Silver, in Canada, is hurtful to these Provinces, as well as the Interest of Great Britain.

See No. 80 to Lord Sydney of the 28th July, 1788.

Quit rents are useless and will be a constant source of Dissatisfaction. They are now abolished in Canada, and this is an additional reason for extending the same indulgence to all the King's Colonies.

The Mutation Fines in Canada are a great check to Agriculture and Improvement in general and the Conversion of the Feudal Tenures into Soccage is on that account very desireable.

See the followihg Letters to Lord Sydney :

No. 3. 7th November, 1786.
18. 13th June, 1787.

and the following Letters to Lord Grenville :

No. 15. 8th February, 1790.
46. 25th September "
64. 10th November "
89. 14th June, 1791.

Note 9.

The Establishment of a University and Schools.

This is very much wanted in Canada, where Education in general is at a low ebb, and English Parents who cannot afford to send their children to Great Britain are under the necessity of sending

munications should be established and kept up, because if the proposition succeeds, its natural operation will be to render in many instances such posts, Fortifications and communications as would be otherwise of much consequence not at all essential. Moreover, I am exceedingly doubtful whether a direct proposal to name Commissioners to settle the boundary may not be preferable to incurring an Expense, the Effects of which would only be to render the Americans more zealous in their endeavours to get possession of what they claim. As to the posts already in our hands it is clear that they must be defended until something is finally settled, the honour of the country requires it, and therefore they must be maintained in a proper state of Defence. But to go beyond this point I am of opinion would be highly inexpedient. I am the more inclined to be of this opinion from your letter No. 18 which you refer to on this subject and which states that a Defensive war cannot be maintained with less than an addition of 4,000 men to the present force in Canada, a number not to be supply'd under the present circumstances, supposing at any time it would be adviseable for this country to show itself ready to check the progress of the Americans to the South side of the Lakes, provided they do not advance within the limits of the posts in our possession.

Observations.

With respect to the 8th suggestion I conceive that all the objects there stated as far as they relate to the Provinces of Upper and Lower Canada are provided for by the late Act, excepting only the restraint upon mines and minerals, and I shall lose no time in referring his Majesty's present Instructions respecting them to the Committee of Privy Council. By clauses 43 and 44 of the late Act all lands in Upper Canada are to be granted or may be converted into free and common soccage. And all future Grants are to be in free and common soccage in Lower Canada at the option of the grantee. The reservation of mines and minerals (other than gold and silver) may it is conceived be omitted in all grants and Lord Dorchester may be instructed accordingly.

Quit Rents are in effect given up everywhere but in the Island of St. John's, which is now under Mr. Dundas's contemplation, with respect to Quit Rents, and I refer Your Lordship to what I have already said upon your suggestion.

Observations.

Your Lordship's 9th suggestion respects the Establishment of a University and of Schools and I observe that the Legislature of Canada has already brought in a Bill relative to the latter.

I am of opinion that an Establishment of so extensive a nature as that of a University will rather gain than lose, as to its future prosperity,

ing them to the United States. Several Canadians of the higher classes have been in the habit of sending their children to France.

The Bequest of Mr. Sanguinet, if the Law decides for its validity, which is contested by the Heirs, will be no inconsiderable aid to a University. But other Funds are necessary, with a Charter from the Crown.

See No. 67 to Lord Grenville of the 10th November, 1790.

Note 10.

A Decision on the Estates of the Jesuits in Canada.

The prevailing sentiment in the country seems to be that they should be applied to public uses and particularly to the Education of Youth.

See No. 48 to Lord Sydney of the 10th December, 1787; No. 5 to Lord Grenville of the 24th October, 1789, and Nos. 65 and 66 to Lord Grenville of the 10th November, 1790.

Note 11.

A Decision on the Estates and Claims of the Seminary of St. Sulpice in Canada.

A Discussion respecting these Estates is contained in the Council Minutes on State Matters of the 29th December, 1788, enclosed in No. 103 to Lord Sydney of the 14th March, 1789; and in the Council Minutes on Matters of State of the 30th May, 1789, enclosed in No. 4 to Lord Grenville of the 17th October, 1789. Also a petition from the Seminary for leave to erect a College, in the Council Minutes on Matters of State of the 1st November, 1790, enclosed in No. 64 to Lord Grenville of the 10th November, 1790.

Note 12.

A Decision on the application for a separate Custom House at Montreal.

The petition was inclosed in No. 61 to Lord Grenville, of the 24th October, 1790; and a Representation of the Naval Officer against it in No. 70 to Lord Grenville of the 10th November, 1790.

Note 13.

A Decision on the application of the Inhabitants of Montreal respecting the Town wall.

by being postponed for the present. The appointment of a Bishop for the two Canadas which is immediately about to take place and the introduction of a more numerous body of protestant clergy into the province whatever be the consequences of such a measure will pave the way for such a foundation and secure its success by securing a suitable and corresponding supply of learning and science from those who are to guide and direct it.

Is not Lord Amherst concerned in these Estates? If ever they should become vested in the Crown, they will of course be applied to public uses and institutions.

The subject has been long in dependence before the Privy Council and it is my intention immediately to urge the business being finally arranged. This is necessary, not only on account of the Interest of the Publick which Your Lordship adverts to, but likewise on account of the claims of Lord Amherst, which in justice to His Lordship ought no longer to be delayed.

Observations.

I am of opinion that no Decision can take place on the question contained in the 11th suggestion in its present stage.

By the first of the Minutes here mentioned it appears that the claims of the Seminary were referred to the Council by Lord Dorchester.

In the second the parties discuss the right and produce their proofs, are answered by the Attorney and Solicitor General and reply, but no report is made by the Council. It will be first necessary to have such report in order that the same may be referred to the King in Council, with whom it is presumed will rest the final Decision.

With respect to the erection of a College, I have already remarked that it will be better deferred until the appointment of a Bishop and a more general Establishment of the Church of England and above all until the Crown Lands become productive in such a degree at least, as may render effectual the appropriation of such a fund as shall arise therefrom for so important an object.

Observations.

A reference appears already to have been made upon the subject of the 12th suggestion to the proper Department, viz.: The Treasury, and no answer has yet been given by that Board. I think it however probable the request will not be complied with, for from the Naval Officer's representation against it there seems good reason to conclude that illicit practices would certainly be the consequences of Vessels passing Quebec without entry.

Observations.

I am clearly of opinion that the application should be complied with as to taking away the town wall, but as to the other part of the application of the petitioners, viz.: An extension of

It was enclosed in No. 6 to Lord Grenville of the 24th October, 1789.

The wall is useless as a Fortification, it is falling to pieces and has been presented by the Grand Jury as a nuisance, endang ring the lives of the Inhabitants. The materials are exposed to the depredation of Individuals, which cannot be prevented.

Note 14.

The Culture of Hemp.

See No. 17 to Lord Grenville of the 6th March, 1790.

The measures taken for the encouragement of this Article are retarded in their operation by the ignorance of the people how to raise and prepare it for use, as also by the want of Seed.

The seed sent out from Great Britain has hitherto failed. It is supposed that fresh seed, suitable to the country, may be had from the Northern States of America.

A person or persons from Russia, or some other Hemp Country, to instruct the Canadians would promote the design.

Note 15.

An Alteration of the new Canada Act, in respect to the Disqualification of those Canadians, who though absent at the Cession, have been residents of the Province for more than seven years.

Several members of the Upper and Lower House are supposed to be actually under this Disqualification.

Note 16.

A law has been passed in Upper Canada by the new Legislature, which changes the toll of Millers from one-fourteenth to one-twelfth.

One-fourteenth has hitherto been, and still continues, in Lower Canada, to be considered a toll fully sufficient for the Miller. If this Act is once assented to by the King, it may be difficult, however hard upon the people, ever to procure a repeal, on account of the preponderance of the great Land and Mill holders, which will always exist in the Legislative Council.

their present possessions, Your Lordship will first ascertain as well as it can be done on the spot whether they have the right claimed by them or not. If it appears that they have there is an end of the question; if they have not Your Lordship may then grant the extension either in all cases, or in such only as you shall in your own judgment think proper and accordingly as the ground in question appears to you to be useful or not for public purposes.

Observations.

A person was sent by Mr. Whitworth from Russia for this purpose and would have proceeded to Quebec, but there being from several circumstances, reason to think him ignorant of the business, I think of sending a few labourers from this country who have boen used to the culture of Hemp; fresh seeds have been directed to be sent and communication has been had on the subject with some of the agricultural society.

Observations.

From the report of His Majesty's Law Officers on this point it is a matter of great doubt whether relief can be given by any Act of the Parliament of Great Britain. One thing is, however, clear that the right of the several persons to the seats to which they have been elected in the Assembly and summoned to the Legislative Council must be determined by the mode of proceeding prescribed by the late Canada Act for trying the same and, therefore it seems highly adviseable to see first what these Decisions will be and upon what principles they are founded, before any further step is taken herein. Such Decisions may be against the Disqualification supposed to exist and so far be declared of the Law in future, in which case no alteration will be necessary.

(Additional): I enclose Your Lordship a copy of the report of his Majesty's Law Officers upon the subject of the 15th suggestion, by which it appears that it is a matter of some doubt and difficulty in what manner and by what means the difficulty you have stated, should it ultimately be found to exist, is to be obviated.

Observations.

It appears to me that the Act mentioned in Your Lordship's last suggestion is objectionable.

Such an additional Tax affecting agriculture in an infant state is I conceive inexpedient, but the determination thereupon rests with His Majesty in Council to whom I transmit Your Lordship's opinion.

NOTE C.

NORTH-WESTERN EXPLORATIONS.

No. 1.—LIEUTENANT-GOVERNOR HAMILTON TO LORD SYDNEY.

(*Canadian Archives, Series Q, Vol. 24–2, p. 403.*)

QUEBEC, 6th June, 1785.

MY LORD,—I have the honour to enclose the copy of a memorial to His Excellency, General Haldimand, presented to him by the merchants trading to the North-West, also their memorial to myself solliciting an exclusive Trade for a limited time. If it may be allowed me to suggest what occurs to me on this business, however monopolies may be in general prejudicial to commerce; I must think that were the Indian Trade suddenly laid open to greedy and needy adventurers, the returns might be very great for a short period, but the Indians would be drowned in rum, and, exclusive of that consideration, it would be the occasion of endless quarrels, and bloodshed must be the consequence.

The pretensions of the first discoverers will have their just weight with your Lordship, I shall therefore decline saying anything upon that head.

The enclosed plan No. 1, shews the communication from Lake Ontario to Lake Huron by Lake la Clie. No. 2 shews Mr. Pond's discoveries laid down in the best manner a short time would permit.

All which shall be pursued upon the signification of your Lordship's approbation, or abandoned in consequence of the orders I may hope to receive, all which is submitted to the judgment of your Lordship with all possible deference and respect.

I have the honour to be,
My Lord,
Your ever obedient and most humble servant,
HENRY HAMILTON.

Benjamin Frobisher's remarks on the proposed communication accompany this.

The Right Honourable Lord Sydney.

No. 2.—MEMORIAL OF THE NORTH-WEST COMPANY.

(*Canadian Archives, Series Q, Vol. 24–2, p. 405.*)

To His Excellency Frederick Haldimand, Captn. General and Commander in Chief in and over the Province of Quebec and the Territories thereon depending, Vice-Admiral of the same, &c., &c., &c.

The memorial of the North-West Company, Humbly sheweth:

That the Company from the Boundary described in the late treaty of Peace being apprehensive the United States would avail themselves of every means in their power to dispossess them of their Trade to the North West, from being entitled to an equal, if not an exclusive right to the Grand Portage on Lake Superior and the water communication to the extent of Lake du Bois: Have at their own Expence and with the approbation of your Excellency, sent off from the North side of Lake Superior in the month of June last, Two persons on whom they can depend, accompanied by six Canadians, to attempt the discovery of another passage, North of the line of Boundary, to the River Ouinipique, and from the information your Memorialists have since received from them, they have every reason to expect that this passage, so much to be wished for, will be discovered and found practicable; which will effectually secure that valuable branch of the Furr trade to this Province.

That exclusive of this great Object, your Memorialists have in view another discovery of greater magnitude, which is that of exploring at their own Expence, between the latitudes of 55 and 65, all that tract of country extending west of the Hudson's Bay to the North Pacific Ocean; of which surveys shall be taken so far as it may be practicable, and such surveys with remarks thereupon respecting the nature of the Country, and the Rivers which discharge their waters into that sea between those latitudes, together with every other information that can be collected from the natives, shall be laid before the King's Governor for this Province, to be by him transmitted to his Majesty.

That the Company's Servants as before mentioned, are now actually employed in the first of these discoveries; And the latter, which must be considered as an object deserving of every Encouragement from Government, they are ready to undertake by such of their Servants, and other Persons who are qualified to carry their intentions into execution.

That your Memorialists request your Excellency will be pleased to represent to his Majesty's Ministers the value and importance of these discoveries; and the propriety of granting to the Company an exclusive right to the passage they may discover from the North side of Lake Superior to the River Ouinipique; and also of the Trade to the North-West either by that passage or by the present communication of the Grand Portage for Ten Years only, as a reward for their services and in consideration of their making these extensive and valuable Discoveries, at their own expence.

Your Memorialists would not presume to ask for this exclusive Right of Trade to the North-West, if it could prove injurious to Individuals, or hurtful to this Province in general; but on the contrary, they are the only persons who have any Interest or connection in that Country; consequently no one can be injured by it; while it will give them the opportunity of making the discoveries they propose, and pursuing the most proper measures suggested by long experience to supply the natives abundantly with every necessary they require, by which only, and a well regulated system in that long chain of connections, the North-West Business is capable of being extended.

Your Memorialists therefore request, that until his Majesty's pleasure is known, that your Excellency will be pleased to suspend the granting of passes for the Grand Portage, or the passage they are attempting to discover from the North side of Lake Superior to the River Ouinipique, should they be applied for; And that you will be pleased to signify the same to the Officer commanding at Michilimakinak, to the end that no person may have cause to complain under a pretence of having property in the Country, if the Company should obtain for the Considerations now laid before your Excellency an exclusive right to the Trade from Lake Superior to the North-West.

Your Memoralists pray your Excellency will take the merit of their Memorial into your consideration, and that you will be pleased to recommend to his Majesty's Ministers to grant to the North-West Company (of which your Memorialists are the Directors) an exclusive privilege of Trade from Lake Superior to that Country for Ten Years only, as a reward for discovering a new passage to the River Ouinipique, and thereby effectually securing to this Province the Furr Trade to the North-West. And in consideration also, of exploring at their own expence between the latitudes of 55 and 65, all that Tract of Country West of Hudson's Bay to the North Pacific Ocean, and communicating to Government such Surveys and other information respecting that Country as it may be in their power to obtain.

And your Memorialists as in duty bound will every pray, &c., &c.

BENJ. & JOS. FROBISHER,
Directors of the North-West Company.

MONTREAL, 4th October, 1784.

No. 3.—BENJAMIN AND JOSEPH FROBISHER TO GENERAL HALDIMAND.

(*Canadian Archives, Series Q., Vol. 24–2, p. 409.*)

MONTREAL, 4th October, 1784.

SIR,—We beg to lay before your Excellency for your Consideration the enclosed Memorial on the subject of the trade to the North-West; to which we request your Excellency will permit us to add a few remarks respecting the rise and progress of that Business at different periods, since the Conquest of this Country, and state to your Excellency the nature and extent of it, and the Advantages which will Arise, not only to the Proprietors, but to this Province in general, from a well regulated System in conducting it.

The first adventurer went from Michilimakinak in the year 1765. The Indians of Lake La Pluye having then been long destitute of Goods, stop't and plundered his Canoes, and would not suffer him to proceed further. He attempted it again the year following, and met with the same bad Fortune. Another attempt was made in the year 1767; they left Goods at Lake Pluye to be traded with the Natives, who permitted them to proceed with the remainder; and the Canoes penetrated beyond Lake Ouinipique.

From this period the Trade of that Country was attempted by other Adventurers with various success, and we were among the number in the year 1769, when we formed a connection with Messrs. Todd & McGill of Montreal, for the purpose of carrying on the Business, but the Indians of Lake La pluye, still ungovernable and rapacious, plundered our Canoes, and would not suffer any part of our Goods to be sent further. Before we could be acquainted with this misfortune, our Goods for the year following were at the Grand Portage, and we were then too far engaged to hesitate for a moment. A second attempt was made in which we were more successful. Our Canoes reached Lake Bourbon, and thenceforward we were determined to persevere. Taught however by experience that separate Interests were the Bane of that Trade we lost no time to form with those Gentlemen, and some others, a Company, and having men of Conduct and Abilities to conduct it in the Interior Country, the Indians were soon abundantly supplied and being at the same time well treated, New Posts were discovered as early as the year 1774, which to the French were totally unknown: And had we not been interrupted by new adventurers, the public in the course of a few years would have been well acquainted with the value and extent of that Country, of which even at this time, our knowledge is very imperfect. These Adventurers consulting their own Interest only, without the least regard to the management of the Natives, and the general welfare of the Trade; soon occasioned such disorder, that those who had the most substantial prospects, lost no time to withdraw their property, since which this Business tho' not altogether neglected, has been carried on under great disadvantages occasioned by a variety of Interests, sometimes partially, and at other times totally unconnected with each other; insomuch that at the latter end of the year 1782, those who had persevered were no more than Twelve in number, and being convinced by long experience, of the advantages that would arise from a general Connection, not only calculated to secure and promote their mutual Interests, but also to guard against any encroachments of the United States on the line of Boundary, as ceded to them by treaty from Lake Superior to Lake du Bois—They entered upon and concluded Articles of Agreement, under the title of the North-West Company, of which we were named the Directors, dividing it into sixteen shares; of which each proprietor holds a certain number proportionate to the Interest he then had in the Country. And to prove to the world, that they have no Views but what are directed to extend that Business, and promote the Commercial Interest of the Province, it is expressly ordered in the Thirty-second Article that their Agreement for the purpose of carrying on a Trade to the North-West, shall be registered at the Secretaries Office for this Province at Quebec, for the Inspection of the public.

Their first object was to prepare the necessary supplies and provide against any interruption to their business from the United States, by discovering another passage from Lake Superior to the river Ouinipique, at least 40 Leagues distant from the American line, at the Lake of the Woods, to secure at all events a Communication with the North-West. Having every reason to expect from the line to be drawn as explained in the late treaty of Peace, that they would soon be dispossessed of the Grand Portage, situated at the North-West extremity of Lake Superior, which is the only part of that Country where there is a possibility of getting to the Water Communication which leads to Lake du Bois, and thenceforward to every part of the Country beyond it; from which Your Excellency will perceive the Grand Portage is the Key to that part of British America; and should the United States be put in possession before another passage is discovered, that valuable Branch of the Furr Trade must be forever lost to this Province. Urged by these reasons the Company lost no time in procuring the best information of the Country; and early in June last, they actually sent off from the North side of Lake Superior a Canoe with Provisions only, navigated by six Canadians under the direction of Mr. Edward Umfreville, who has been Eleven Years in the Service of the Hudson's Bay Company and Mr. Venance St. Germain; both of them men who speak the Language of the Natives and who are in other respects very well qualified to execute the Company's intentions.

Their Instructions were to proceed to Lake Alempigon and thence in a West direction by the best Road for the Transportation of Goods in Canoes to the River Ouinipique at, or as near as may be to the Portage de L'Isle, and by Letters received from them at Lake Alempigon 30th June, it appears they had met with innumerable difficulties from the want of Indian Guides, but they had then one who had undertaken to conduct them to Lake Eturgeon and they express'd the most sanguine hopes of getting forward from thence to the River Ouinipique. The Company have no accounts of them since that period, and as all their Canoes are now returned from the Grand Portage, they cannot until the next year give your Excellency any further information concerning this discovery.

The Inland Navigation from Montreal, by which the North-West business is carried on, is perhaps the most extensive of any in the known World, but is only practicable for Canoes on account of the great number of Carrying places. To give your Excellency some Idea of which, there are upwards of ninety from Montreal to Lake du Bois only, and many of them very long ones.

Two setts of men are employed in this business, making together upwards of 500; one half of which are occupied in the transport of Goods from Montreal to the Grand Portage, in Canoes of about Four Tons Burthen, Navigated by 8 to 10 men, and the other half are employed to take such goods forward to every Post in the interior Country to the extent of 1,000 to 2,000 miles and upwards, from Lake Superior, in Canoes of about one and a-half Ton Burthen, made expressly for the inland service, and navigated by 4 to 5 men only, according to the places of their destination.

The large Canoes from Montreal always set off early in May, and as the Provisions they take with them are consumed by the time they reach Michilimakinac, they are necessitated to call there, merely to take in an additional Supply, not only for themselves but also for the use of the Canoes intended for the Interior Country and the Consumption of their servants at the Grand Portage, but as these Canoes are not capable of carrying the whole of such Provisions it thence becomes necessary to have a Vessel or Boats upon Lake Superior for that Transport only, and the utmost dispatch is required that everything may be ready in point of time to send off their supplies for the Interior Country, for which purpose the Goods, Provisions and everything else required for the Outfits of the year, must be at the Grand Portage early in July; for the carrying place being at least Ten Miles in length, Fifteen days are commonly spent in this Service, which is performed by the Canoemen, who usually leave the west end from the 15th July to the 1st August, according to the distance of the places they are intended for.

Their general loading is two-thirds Goods and one-third Provisions, which not being sufficient for their subsistence until they reach winter Quarters, they must and

always do, depend on the Natives they occasionally meet on the Road for an Additional Supply; and when this fails which is sometimes the case they are exposed to every misery that it is possible to survive, and equally so in returning from the Interior Country, as in the Spring provisions are generally more Scanty. In winter Quarters, however, they are at ease, and commonly in plenty, which only can reconcile them to that manner of life, and make them forget their Sufferings in their Annual Voyage to and from the Grand Portage.

We have taken the liberty to mention these matters so minutely to your Excellency to demonstrate how precarious that business is, and to show the impossibility of carrying it on to any extent in opposite Interests, without manifest ruin to some of the parties concerned and the destruction of the Trade. While on the contrary, by a well regulated System in that long and precarious chain of connections which a Company alone can establish and execute, every Advantage may be derived for discovery and improvement.

The present Company have accordingly adopted the most proper measures to answer those ends, and have entered upon the Business with a determined Spirit, to supply the Natives plentifully with every necessary they require which is the only sure means to extend it and to obtain a perfect knowledge of the Country, so far as it may be done without interfering with the Commercial rights of the Hudson's Bay Company, which on all occasions they will carefully avoid.

The property the Company have already in that Country, exclusive of their Houses and Stores, and the different Posts, as appears by the settlement of their Accounts this present year Amounts to the sum of £25,303.3.6 Currency; and their Outfits for the next Spring which will be sent from Montreal as soon as the Navigation is open, will not fall much short of that sum so that the Company will have an Interest at the Grand Portage in July next of about £50,000, original Cost, in Furrs, to be sent to Montreal by the return of their Canoes, and in goods for the Interior Country, from which your Excellency may judge of what may be expected from that Trade, when in our power by an exclusive Right for Ten Years to explore the Country and extend it.

We beg your Excellency's pardon for troubling you with this long detail, we have done it merely to give your Excellency the best information respecting a Trade which, is hardly known, and still less understood, except by those who have been in that Country, requesting your Excellency will take this letter in support of their Memorial, into your consideration, and extend to the Company your Favour and Protection, to obtain for them An Exclusive Right to the Trade of the North-West, on the Conditions stated in the Prayer of their said Memorial to Your Excellency.

We have the Honour to be with the utmost respect in behalf of the North-West Company,

Your Excellency's,
Most obedt. and
Most hbl. servts.,
BENJN. & JOS. FROBISHER.

To His Excellency,
General HALDIMAND,
Quebec.

No. 4.—MEMORIAL OF PETER POND.

(*Canadian Archives, Series Q., Vol.* 24—2, *p.* 418.)

To the Honourable Henry Hamilton, Esq., Lieutenant-Governor and Commander-in-Chief in and over the Province of Quebec and Territories thereof in America &c., &c.

The Memorial of Peter Pond, on behalf of the North-West Company, in which he is Partner,

Humbly Sheweth,

That Benjamin & Joseph Frobisher Directors of the North-West Company, presented a Memorial to His Excellency, General Haldimand, in the month of October

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last, proposing in the name of all the Persons concerned, to undertake certain discoveries; And praying for such priviledges and protection from Government, as would enable them to carry their proposals into execution, and indemnify them for the toil and expence of such an arduous and extensive undertaking:—As will more fully appear by a copy of the said Memorial, which I am directed by the Company to lay before Your Honour, together with a letter which accompanied it.

His Excellency General Haldimand was pleased to receive the Memorial with great Attention, and gave the strongest Assurances that he would represent the importance of the plan therein proposed to His Majesty's Ministers; and give it every support in his power in Order that it might take place.

Your Memorialist begs leave to Assure Your Honour, that the persons connected in the North-West Company are able and willing to accomplish the important discoveries proposed in their Memorial to His Excellency General Haldimand; provided they meet with due encouragement from Government; having men among them who have already given proof of their genius & unwearied industry, in exploring those unknown regions as far as the longitude of 128 degrees West of London; as will appear by a Map with remarks upon the Country therein laid down, which your Memorialist had lately the Honour of laying before you, for the information of Government: And the Company will procure at its own expence, such Assistants as may be found necessary, to pursue the work already begun; until the whole extent of that unknown country between the latitudes of Fifty-four & Sixty-Seven to the North Pacific Ocean, is thoroughly explored; and during the progress of this enterprize the Company will engage to transmit from time to time to His Majesty's Governor of this province, for the information of Government, correct Maps of those Countries, and exact account of their Nature and productions, with remarks upon everything useful or curious, that may be met with in the prosecution of this plan.

Your Memorialist humbly begs leave to inform Your Honour, that he has had possitive information from the Natives, who have been on the Coast of the North Pacific Ocean, that there is a trading Post already established by the Russians; and your Memorialist is credibly informed that Ships are now fitting out from the United States of America, under the command of Experienced sea-men (who accompanied Captain Cook in his last Voyage) in order to establish a Furr trade upon the North-West Coast of North America, at or near to Prince William's Sound, and if the late Treaty of Peace is adhered to respecting the Cession of the Upper Posts, the United States will also have an easy access into the North-West by way of the Grand Portage. From these Circumstances Your Memorialist is humbly of opinion, that this branch of trade will very soon fall a prey to the enterprizes of other Nations, to the great prejudice of His Majesty's Subjects, unless some means are speedily used to prevent it. It, therefore, becomes necessary for Government to protect and encourage the North-West Company in the earliest prosecution of the proposed plan; in order that trading posts may be settled & connections formed with the Natives, all over that Country, even to the Sea Coast; by which means so firm a footing may be established as will preserve that Valuable trade from falling into the hands of other powers; and under proper management it may certainly in a short time be so extended as to become an object of great importance to the British Nation, & highly advantageous to this Mutilated Province.

Your Memorialist therefore humbly Prays that Your Honour will be pleased to recommend the Memorial of the North-West Company to His Majesty's Ministers, in the strongest manner, as a plan which will be productive of the great National Advantages; And that you will give it all the support in your power, in Order to obtain for the Company an exclusive right to the trade to the North-West of Lake Superior for the Space of Ten Years only as a reward for the toil & expence of such an Arduous and public Spirited Enterprize,—And in the meantime, Your Memorialist humbly requests, that Your Honour will be pleased to Suspend the Granting of Passes to the Grand Portage, to any person or Persons not concerned in the North-West Company, if any such should be apply'd for; And that Your Honour will signify

Your pleasure in this respect to the Commanding Officer at Michilimackinac, to the end, that no Opposition may be formed against the Company by new Adventurers, until His Majesty's pleasure is known.

And Your Memorialist as in duty bound will ever pray, &c.

PETER POND,
On behalf of ^{re} N. W. Co.

QUEBEC 18th April 1785.

No. 5.—BENJAMIN FROBISHER TO HON. HENRY HAMILTON.

(*Canadian Archives, Series Q., Vol.* 24—2, *p.* 423.)

MONTREAL 2nd May 1785.

SIR,—I have the Honour of your letter of the 21st ulto., acquainting me with the directions you have given about the St. Pauls Bay Malady, & the precautions you have taken to prevent the spreading of so fatal a disorder in different parts of the Province, in which the North-West has not escaped your Attention, for which permit me to return you my most sincere thanks; at the same time I have the pleasure to acquaint you, that I do not believe the Company has one person in the Service in the North-West afflicted with that disorder, at least if they may be allowed to Judge from appearances, they are nevertheless exceedingly obliged to you for your attention, and should they perceive the least Symptom of that disorder among any of the men, they send from hence this present year, Your Honour may be assured they will not be suffered to leave LaChine, and that I will be attentive to report them to Doctor Silby, who is my Intimate Friend, and is in every way qualified as a professional man to attend to such objects as may offer within this district.

I have communicated your letter to Mr. Pond, who desires me to return you his most gratefull thanks for Your attention and good wishes, and that he will take the utmost care of the medecines you have ordered Mr. Bowman to send him for the relief of such Persons as may have symptoms of that disorder in the Interior Country.

Since I had the Honour to receive your letter of the 10th March, I have made every enquiry in my power, not only in Town but in different parts of the Country, respecting the practibility of a communication from Lake Ontario to Lake Huron, and am sorry to say, all my endeavours to acquire some knowledge of it are far from being satisfactory.

I have seen several persons who have gone from hence to Lake Huron by the carrying place of Torronto, but have only met with one who set out from the Bay of Kentie, and that so far back as the year 1761, and the knowledge he seems to have of the Country he travelled thro' I consider as very imperfect. I have, however, laid it down in the inclosed Sketch, more to shew that there is such a Road, than any opinion I have of its being Correct. I am told the Lands from the Bay of Kentie to Lake La Clie abound with good Wood and are generally fit for Cultivation; there are several Villages of the Mississagues on different parts of that Road who raise Indian Corn and other grain, and whose friendship it will be necessary to Cultivate, if upon survey it should be found practicable but if I may rely on information, there is very little probability of establishing in that quarter a Communication for Boats or Large Canoes on account of the Water being generally very shallow between the different Lakes, except in the Spring, and even then it is described to me, as being insufficient for large Canoes, not to mention the Carrying Places, which are Six or Seven in Number to reach Lake LaClie, and I am told three of them are near three leagues in length ; I am however informed that to the distance of the Rice, or the folle avoine lake, from the Bay of Kentie, there is plenty of water for Boats of any Burthen. From all these circumstances as related to me, I judge a Communication that way without paying any regard to the Carrying places, to be from the want of

water totally impracticable, however as I believe there is no man in the Country capable of giving any certain information about it, I think a Project that holds out so many advantages to the Province at large ought not to be relinquished until it is found upon Survey, to be as represented really impracticable, and should that be the Case, the next object that offers to Introduce a Communication between the two Lakes is the Carrying place of Torronto, which from the Ontario side to Lake Huron in a direct line, is no more than 100 miles, and by Water it does not exceed 160— That is, Torronto, 45 miles, Lake La Clie, 37, thence to Lake Huron over Land, 18; or by the River as laid down in the enclosed sketch about 70. I am told that Lake La Clie will admit of the Navigation of small Vessels, and there is no want of Water in the river already mentioned, that runs from it, into Lake Huron, but it seems there are in it several Falls of Water, which with other obstructions occasions Six or Seven carrying places, all of them short ones—large Canoes have gone up and down it at different times, but am told it is not practicable for Boats until some of the carrying places are levelled so as to get them over upon rollers. To avoid this river there is no other way of getting to Lake Huron from Lake La Clie, but by a road overland as before described of about 18 miles some parts of which are low Marshy Grounds of a considerable extent so that embrasing every object for the purpose of Establishing a sure and short Communication between the two Lakes, I am of opinion from the present knowledge we have of the Country, it can only be accomplished by the Carrying place of Torronto to Lake La Clie, and thence down the river to Lake Huron, and tho' the length of land Carriage will be very great, yet as it is in a fine Country, and the Lands as I am told exceedingly good, it would require very little encouragement from Government to have it settled; and provided the lands on the Carrying place are granted in small lots and not in large Tracts to opulent Proprietors, we may expect in a high state of Cultivation, in which case, Carriages will not be wanting, under proper regulations to Insure at a moderate rate a speedy Transport.

These Sir are my sentiments, until we are better informed of the nature of the Communication from the Bay of Kentie to Lake LaClie, and let what will be the Event of that Survey, I conceive there is a necessity for Establishing the Carrying place of Torronto as speedily as possible as in the course of a very few Years the settlers from their vicinity, and facility of Transport to Lake Huron would be in a situation to supply the Provisions that are wanted by the Traders for the Northern Countries, which under the most precarious circumstances, such as the failure of Crops &c. they have hitherto been obliged to procure from Detroit, and should the United States be put in possession of the Posts, their situation will be stil more precarious, as the Americans will have it in their power to injure or Ruin every Man from this part of the Province, who depends on receiving his Provisions from that Settlement, from which and other reasons needless to enumerate, I submit to Your Honour the propriety of encouraging also, Farmers to take up lands on the North side of Lake Huron, at such places as will admit of Cultivation, particularly in the river Tessalone, all of which collectively will facilitate the procuring of Provisions, and give the Traders from hence a manifest Superiority over their American Neighbours. On the other hand we must also consider the advantages that would arrise from so ready a Communication with Lake Huron, which while it extends, and adds strength and Security to our Frontier (if I may be allowed the expression) will with the other settlements afford effectual Protection to the Natives between the Two Lakes, who are Mississagues and some Tribes of the Chippawas, from whence I conceve there will be no difficulty in making the purchase, more especially as I believe their best hunting Lands are at some distance from the Tract that would be chosen for the purpose of establishing an entercourse of Transport between the two Lakes.

The present road by the Ottawa river & the communication now in prospect will not admit of a comparison with each other the first is most eminently dangerous for the Transport of Goods, from the number of Cataracts, and the length and rapidity of the river, not to mention the Carrying Places, which from hence to Lake Huron, are

upwards of Forty in number, over which the Canadians carry the Goods & Canoes occasionally, and it is to their dexterity alone and the knowledge they have of the management of Canoes in this particular Branch of the Inland business, that so few accidents happen, whereas Boats of about the same burthen are navigated by half the number of men, and for their service they are always to be had on more easy Terms than for the other, as it requires a greater degree of Experience, and which nothing can give them but that of being constantly employed in that business. I shall not pretend to estimate the difference of Expence in the Transport, as I do not see it can be done with any degree of exactness until the other Communication is Established; however in the meantime to give Your Honour some idea of what it may be, I must acquaint You that by the Ottawa River, it is generally estimated at about twenty per cent on the Canoes assorted for the Trade, but in Cases of sending Provisions or other Articles of little value here, the Freight to Michilimakinac on every Package of One hundred pounds in weight is about Fifty, and from that to Sixty Livres, and to the Grand Portage from Eighty to Ninety.

If these hints and the Sketch I Enclose you can be of any service, I shall think myself very happy in having laid them before You.

I have the honour to be,
most respectfully,
Sir, Your obedient and most humble servant,
BENJ. FROBISHER.

The Honble. HENRY HAMILTON Esq.

No. 6.—JAMES McGILL TO HON. HENRY HAMILTON.

(*Canadian Archives, Series Q., Vol.* 25, *p.* 111.)

MONTREAL 1st August 1785.

DEAR SIR,—In my last respects I partly anticipated yours of the 29th, relative to the probability of the trade to the part (post?) of Detroit & its dependencies falling soon into the hands of the Americans were private vessels permitted on the lakes at present, anything further which I may observe will be almost a repetition or perhaps setting the matter in a clearer point of view.

You will be good enough to remark that the Upper Country trade in General, as now carried on from this place is extended as far South as the mouth of the Ohio to the Westward as far as the Rivers falling from that side of the Mississippi will carry Canoes, including from the River of in Latitude 33° S to the sources of the Mississippi & to the North-west as far as Lake Arabask8a including the whole North side of Lake Huron & Superior, the Value of the whole I esteem at £180,000 Currency for sake of statement & I believe that I am not £20,000 on either side of the reality—£100,000 value I think is brought from the Country now within the American Line as fix'd by the late treaty of Peace; the other £80,000 I consider as being within our own Line. If this statement is nearly just & I am satisfied to risk my reputation upon it as a merchant, the question will be, whether the Americans are likely to take away any part of our trade when they shall have got possession of the posts & have Vessels on the lakes or whether we are not more likely by having posts on the same Lakes & Vessels to interfere with them.

For my own part I am clearly of opinion that it must be a very long time before they can even vinter (venture?) on the smallest part of our trade for the little that is to be had in the tract of Country lying between Lakes Ontario, Erie and Huron as South Boundaries, & the Ottawa River, lake Nipissing & its discharge into Lake Huron as Northern Boundaries, can only be obtained by traders going up the different Rivers which water that tract of Country, there passing the Winter & trading with the Indians. And this can only be done in Birch Canoes, which will require them a long time to become accustomed to, exclusive of the Legal impediment of trading in a country to which they are Aliens. The same reasons are applicable

to the trade on the North shores of Huron & Superior & the North-West trade, in my opinion for some contest that the Grand Portage is within the American line, but to us it does not appear very certain, or if it were, it is of no great moment with regard to the N. W. Trade; for a new road has been discovered from the Lake of or Nipigan, which runs to the N. of Wood Lakes and falls into the discharge of that Lake (which is commonly known by the Name of the River) at the distance of fifty Leagues from its N. W. termination. It was gone over last Summer & found to be more practicable than the Road from the Grand Portage now in use. These Circumstances being considered, what are the reasons that could induce the traders from this Country to dispose of their fine furrs which are got within our lines! Will the Americans pay a higher price for them than can be obtained in London? No! And were they desirous of tempting with a higher offer, No man in his sences would trust to them, and surely they cannot carry up money to buy them, besides it is well known that were these fine furrs to fall into their hands in any quantity they must send them to England for a market as amongst themselves the consumption is very trifling. We may therefore infer that there is little probability of the Americans rivaling us soon in the tract which legally belongs to the Province were they even allowed a free Competition.

It remains to consider how far we may interfere with the trade within their line and by what means, should the Americans under pain of confiscation prohibit all British Subjects from trading in the Indian Country within their Line. I make no doubt that the greatest part of the traders who are now at Detroit will become American Subjects, because they will thereby keep in their hands the trade they at present pursue, for I am of opinion that the Americans by Establishing a very few posts on the South of Lake Erie might hinder smuggling in any great degree but at the same time if we can afford Goods at Detroit cheaper than they can & are enabled to give better prices for furrs and Peltries, the traders on their side will fall on means to do bussines with us even at Detroit, notwithstanding any regulations they may make to the contrary. That both these things may take place I am pretty confident, for we can without doubt transport Goods to the Upper posts cheaper than they can, provided we were allowed equal means of facility & by the same reasoning we can bring down Peltries at less expence. Such being the case we are more likely to be of Injury to their part of the trade than they are to ours, more especially if it is considered that even when they were British Subjects & had every facility & benefit in the whole of the Indian trade, there was not consumed amongst themselves above half of the Peltries they obtained, the other half going home to England as a remittance; indeed except Deerskins which then formed their chief article with some Beaver and Racoons every other article was sent to England, if therefore they are obliged to send them still in same manner, they can be on no better footing at Albany than we are here, but rather worse as their expences to bring the Peltries to that place would be greater than ours.

All then that Government has to do is to give every facility to the trade that is possible, and I do not see a more certain means of conveniency and certainty than by allowing the merchants to have small decked vessels of their own, with them they can be moraly certain of having their Goods at Market in June & July & their Goods may be imported the same Year from England, which will save them from leakage, imbesslement & wait of their property besides Interest of money which you know is a dreadful moth if ones allowed to get to any head.

That these vessels should be under proper regulations is highly requisite, but time must be allowed for digesting a proper System—the present is too bussy a season besides I would not wish to attempt it alone and I would be also desirous of having a more perfect local knowledge of Lake Erie than I now have before I venture on such a task.

But whatever future regulations may be adopted, they do not relieve us from our present distress, the last Information from Niagara is so late as the 16 of last month at which time there were little if anything short of 100 Battoe Loads of Goods to cross Lake Erie, besides from 30 to 40 at Cataraquoi mostly intended in the same

way. That a considerable part of these will be got over this season is highly probable, but unless measures are taken without any delay whatever to have them transported speedily, it is to be apprehended that they may, as last year, arrive at Detroit too late to admitt of being sent into the more interior Country amongst the Indians, in which case fewer furrs will be got, for you will remark that the Indians do not bring much of their Peltry to the Post, the traders must go up for it, they must pass the Winter amongst them & supply them occasionally with Cloathing Ammunition &c. Otherwise they hunt little and are not careful of their Peltry. The measures which in my Opinion might be adopted without any great hindrance to the Service or any great infraction of Orders would be to order that the four Vessels on Lake Erie (so soon as Michilimackinac is supplied) do each of them make two trips to Detroit with Merchants Goods, but that the second trip is not to exceed the 15th of October at latest for the time of loading at Fort Erie, after which time they can very easily make another which I should think will be more than sufficient to carry provisions for one Year for the Garrison. And at the same time as there are three or four small private vessels, that they may for this season be allowed to sail for benefit of their owners under Command or Inspection of a King's Officer, so as to prevent at all Events any smuggling whilst we hold the Indian tract exclusively. If some such plan is not adopted, I fear that bad consequences will be the effects of the present system. The traders will get dispirited and carcless, they will even wish for a change of Government in hopes of being bettered tho' they certainly will be much worse; but such were their sufferings last Year with the untoward prospect for the present one, that I fear few goods will be ordered for the ensuing or Houses of any Reputation here found to execute them until this defect is remedied. As this Letter is chiefly occasioned by the impediments to the Detroit trade, which I have endeavoured to shew you may be removed without giving any encouragement to the Americans therein, I have said nothing of the trade on the South side of Lake Huron, Superior or to the W. of Michilimackinac, because it is carried on in Canoes from hence, and therefore meets no Obstruction, nor will it be an easy matter for the Americans to get any part of it, notwithstanding the Country is within their line. In short I am decidedly of Opinion that no part whatever of the Trade belonging to this Province by the treaty of Peace is likely to fall into the hands of the Americans but on the contrary that we may get a considerable part of theirs.

I am, Dear Sir,

Your affectionate & very Humble Servant,

JAMES McGILL.

P.S.—I must not omit mentioning that the merit of discovering the new route to the N. W. belongs to Messrs. Benjamin & Jos. Frobisher who are the Directors of an extensive trade to that Country, & had it explored in Order to secure that trade to this Province in case it should be found that the Great Carrying Place falls within the American Limits.

No. 7.—JAMES McGILL TO HUGH FINLAY.

(*Canadian Archives, Series Q., Vol.* 25, *p.* 118.)

MONTREAL 8 August 1785.

DEAR SIR,—I see it is in vain to expect any relief to the Trade by the communication of the Lakes this season. I have letters from Niagara of 29th ulto., mentioning that part of the goods which had remained since last fall were still at Fort Erie. Above one hundred & Twenty Battoe load have been sent up since the Spring. Judge what must be the feelings of those who were largely concerned in that business. I wish we could exchange Situations for a time with such persons as were opposed to the sailing of Private Vessels on the Lakes, they would be clamorous enough. I have done everything in my power to Obtain the redress necessary. I owed to myself that Justice & still more so to our correspondents in England.

Whatever, therefore, may be the event I have not any blame to lay at my own door & shall therefore patiently wait for it as a matter I cannot influence or prevent. I am greatly Obliged to you for the trouble you have taken & am with much esteem,

My Dear Sir,

Your Affectionate Humble Servant,

JAMES McGILL,

HUGH FINLAY Esq.

No. 8.—BENJAMIN FROBISHER TO HUGH FINLAY.

(*Canadian Archives, Series Q., Vol. 25, p. 119.*)

MONTREAL 8th August 1785.

DEAR SIR,—I beg leave to trouble with the inclosed Memorial, which I request you will present to His Honour the Lieutenant Governor. The Subject is Important to the Gentlemen concerned in the North-West Business, and merits his Mature Consideration.

I cannot describe to you my dear Sir the Expence and inconvenience we are put to in that Bussiness in the transport of our Provisions, to remedy it in some degree was the Occasion of Our Applying to Build a Vessel for Lake Superior, that Plan having failed, whether from her Bulk, the Body of Water in the Rapid of St. Marys the last Spring, or from other circumstances I do not know, we are now reduced (as we have been since Lieut. Governor Sinclair took it in his head to Order down the Falls the Vessels that were upon Lake Superior) to the Use of Boats and Canoes only, which in the Bulky Article of Provisions is exceedingly expensive. This is particularly Vexatious since we had a Vessel Built for the purpose which costs the company an inconceivable Sum of Money, and which, from the present Orders not suffering private Vessels to Navigate the Lakes must become useless to them unless permission is Obtained to employ her in the transport of the Companys Provisions from Fort Erie to Detroit and thence to St. Mary's. From the extension of the North-West Business our wants are greater than they used to be, and those wants must be supplied or the business must be dropped—To depend on receiving Timeously our Provisions by the King's vessels, would be Idle and Ridiculous in men who the last Year and the present one have experienced every possible inconvenience from it. This Spring particularly we had the advantage of loading the Beaver at Detroit, and this with what we could get into the King's Vessels was not near sufficient, and had it not been for a chance purchase part of our Goods that are now far distant in the interior Country would probably this day have been at St. Mary's, and after all there was not a grain of Corn left there, for our Canoes to take in on their Return, to bring them back to Montreal and in this predicament we must have remained had not Lieut. Governor Hay taken upon him to suffer the Beaver to return to St. Mary's with Corn for this necessary purpose. Judge then what our Situation must be, and to what we must be exposed, if we are not allowed to Employ the Beaver in the transport of our Provisions. Had she been got up the falls we should have been under the same necessity that we are now, that is of requesting the same permission for some of the Vessels Private property at Detroit that we now solicit for our own. In a word all the Company wishes for is on any terms to be left to the management of their own business & surely You will think this a reasonable request. I should think the offer they make of her being commanded by such person as His Honour the Lieutenant Governor may think fit to appoint, & to be paid by the Company must obviate every difficulty.

I am with great regard

Dear Sir, Yours very sincerely,

BENJ. FROBISHER.

The Honble. HUGH FINLAY Esq.

No. 9.—MEMORIAL OF BENJAMIN AND JOSEPH FROBISHER TO LIEUTENANT GOVERNOR HAMILTON.

(*Canadian Archives, Series Q, Vol.* 25, *p.* 122.)

To the Honourable Henry Hamilton, Esq., Lieutenant Governor and Commander in Chief of the Province of Quebec, &c. &c. &c.

The Memorial of Benjamin & Joseph Frobisher Directors of the North-West Company,

Humbly Sheweth:

That having represented to His Excellency General Haldimand the last fall the difficulties to which they were exposed in the Transport of their Provisions over Lake Superior; He was pleased to allow the Company to build at Detroit a small Decked Vessel, for the purpose of getting her up the Falls of St. Mary's to be employed on Lake Superior in that Transport.

That in consequence thereof, she was built upon the most approved plan to answer the purpose for which she was intended measuring no more than Thirty-four Feet Keel, Thirteen feet Beam, and Four feet Hold; and notwithstanding the smallness of her Size, she cost the Company as appears by the Accounts your Memorialists have received no less than £1,843. 13. 2 York Currency.

That in the fullest confidence the said Vessel could with ease be got up the Falls of St. Mary's, she was sent from Detroit in May last, but it is with the deepest regret your Memorialists beg leave to acquaint Your Honour that when there it was Judged impracticable to get her up and consequently she was sent back to Detroit, where from the present Orders at that Post, not suffering private Vessels to Navigate upon the Lakes, notwithstanding her value, she must necessarily be laid up, unless Your Honour will be pleased to permit her to Navigate in the Company's Service, for the Transport of their Provisions from Fort Erie and Detroit to St. Mary's.

That your Memorialists in behalf of the North-West Company humbly submit to Your Honour the merit of their claim to this Indulgence. They are engaged in an extensive business which cannot be carried on but by the most abundant Supply of Provisions; the whole of which they are under the necessity of purchasing in the Environs of Fort Erie and at Detroit without having it in their power at present to send them forward but by occasional Transport in the King's Vessels, and that only to Michilimackanac, from whence a heavy expence is necessarily incurred to send them to St. Mary's; where from the nature of their business it becomes necessary to send during the Course of the Summer almost all the Provisions they will require for the Year ensuing; and if the Company have no means in their power for such Transport, but on the Contrary must depend on what they can Occasionally get forward in the King's Vessels, Your Memorialists beg leave to assure Your Honour that the Company cannot possibly carry on their Business.

Wherefore Your Memorialists pray Your Honour for the reasons before Assigned that you will be pleased to suffer the North-West Company to employ the small vessel called the Beaver intended for their Service on Lake Superior, now at Detroit, to Transport their Provisions or other Effects as often as occasion may require from Fort Erie to Detroit, and thence to Michilimackanac and St. Marie's, commanded by such person as you may please to appoint, to be paid by the Company, and that Your Honour will be pleased to give the necessary Orders for that purpose.

And Your Memorialists as in Duty bound will ever pray.

BENJ. & JOS. FROBISHER.

MONTREAL 8th May 1785.

No. 10.—LIEUTENANT-GOVERNOR HAMILTON TO BRIGADIER-GENERAL ST. LEGER.

(*Canadian Archives, Series Q., Vol. 25, p. 125.*)

QUEBEC August 11th 1785.

SIR,—By this days post I have the honour to send you a copy of a Memorial from the Merchants trading to the North-West.

I am sorry to give you repeated trouble on this occasion, but as it is not in my power to give any determinate answer to these demands they must wait with patience the result of the Ministers Mandates which may relieve them from their present State of incertainty.—The demand for the Beaver appears to me very reasonable.—As we have both written to Lord Sydney on the subject of the Navigation of the Lakes and as I shall forward this petition I hope the ultimatum may yet arrive this Year, so that the Merchants may profit early in the next Season of the determination of Government.

I have the honour to be,
Sir, Your very obedient sert.
HENRY HAMILTON.

To Brigadier-General ST. LEGER.

No. 11.—LIEUTENANT-GOVERNOR HAMILTON.

Wrote to Lord Sydney on the 17th August, with copies of correspondence. Those which relate to the North-West Trade are:

1. Representations of the Traders at Detroit.
2. Letter from Lieut.-Governor Hay on the subject of the above.
3. Brigadier-General St. Leger's letter dated 15th August.

The others relate to Indian affairs. He adds: "With regard to the affairs of the Merchants, I need say nothing in addition to what Lieutenant-Governor Hay has sayd in his letter, he being on the spot and by long experience a very competent Judge of the nature and present state of the matter in question." (Canadian Archives, Series Q. Vol. 25, p. 126.)

No. 12.—PETITION FROM THE MERCHANTS OF DETROIT.

(*Canadian Archives, Series Q., Vol. 25, p. 128.*)

To the Honourable the Governor and Council of Quebec.

The Petition and Representation of the Merchants of Detroit,

Sheweth.

That Your Petitioners with due difference & respect beg leave to represent, that since Vessels of private property have been prohibited from navigating these Lakes for the purpose of transporting Merchandize for the supply of this Country &c. and since that service has been by express Order performed by the King's Vessels when not wanted for Transporting Troops, Provisions & stores: Your Petitioners from the number of these being altogether inadequate to both services, and since the Reduction of the Naval Establishment not more than would be necessary for the Mercantile service alone have suffered Year after Year such unheard of Losses from this Cause that they have now but too much Reason to apprehend the total Ruin of their Affairs, by which not only the Merchants in Canada, but also those in England, to whom from this Country there are immense sums still due, will be materially injured if not altogether ruined.

Your petitioners most solemnly affirm that they have for some Years past been paying an Annual Interest of upwards of Three Thousand seven Hundred pounds Sterling on the amount of Property detained on its way hither at Carleton Island & on

the Communication at Niagara; & this as is obviously known proceeds from the want of a sufficient Number of King's Vessels to transport the Goods destined for this country, or a permission to Merchants Vessels to carry their own Property.

Your Petitioners further represent that though the King's Vessels have made several Voyages to & from Fort Erie this season none of the Merchandize that have remained in the Store Houses on the Communications above Niagara & Fort Erie since last Fall and which amount to a very Considerable sum is yet arrived.

Your Petitioners have had the honour to transmit a Memorial through Lieut. Gov. Hay to Colonel Hope requesting that the Gage which now lies here & could as they are informed soon be got ready may be ordered to sail; in this Request Your Petitioners solicitously beg your approbation & support as a measure tending to lessen their present misfortune and as affording them some temporary relief.

Your Petitioners think it incumbent on them to make this general Representation. That from the Delays, Difficulties & Consequent Losses arising from the same (to say nothing of the notorious and unparallelled Thefts that have been committed) that have for some time attended the carrying on the Trade of this Upper Country owing principally to the prohibition of Merchants Vessels from carrying their own Goods, or the Want of a sufficient number of King's Vessels to transport without Embarrassment & delay, the Merchandize necessary for the supply of this post & its Dependances and for the carrying on the Fur Trade that Trade in general & this Branch in particular, has been much circumscribed & of late nearly ruined; that last year owing to the late arrival of such Goods as did reach this post, above One Thousand packs of Furs and Peltry which used annually to be remitted to Detroit have this Year from our Inability to supply the Traders in time been sent to New Orleans; & that upwards of Fifty of the Pettyaugers which left this place last Fall loaded with Goods proper for the Indian Trade were from their late Departure frozen up before they reached the places of their destination & that many Traders after a Fruitless attendance returned unsupplied.

Your Petitioners solemnly declare that unless a speedy & effectual Remedy is devised there is the most well grounded Reason to apprehend from the continued Influence and Operation of these Evils that this valuable Branch of Commerce will be driven into other Channels & together with the vast Sums still due be irretrievably lost to Great Britain.

Your Petitioners therefore as a duty they owe to their Country, to those to whom they are indebted & to themselves, & if possible to escape the impending Ruin with which they are threatened, do hereby make and subscribe this Petition and Representation, relying on Your Wisdom for an adequate Redress; & they as in Duty bound, shall ever pray.

Detroit, July 10th, 1785.

Alex. & Wm. Macomb,
James Abbott,
Tous St. Pothier,
Nathan Williams,
Leith & Shepherd,
Angus Mackintosh & Co.,
William Robertson,
John Macpherson,
Geo. Forsyth,
George Lyons,
Thos. Finchley,
Heward & McCarlan,
Meldrum & Park,
Sharp & Wallace,
Pollard & Mason,
Ant. Lasselle,
John Martin,
T. Williams & Co.,
Montague Trimble,
McKillip & Jacob,
Wm. Pawling.

No. 13.—LIEUTENANT-GOVERNOR HAY TO LIEUTENANT-GOVERNOR HAMILTON.

(*Canadian Archives, Series Q., Vol. 25, p. 132.*)

DETROIT July 16th, 1785.

SIR,—At the request of the greatest part of the people in Trade at this place I have the Honour to transmit the enclosed petition and representation, and in justice to them cannot help assuring you, that I think their present Situation alarming, and that if more Vessels are not employed by Government or permission given for them to transport their property in Craft of their own, the trade of this place will suffer very materially, & probably cause the fall of some of the first houses concerned in supplying the Merchandize for this place; if not totally prevent Great Britain from reaping the benefits heretofore arising from the sale of a great quantity of her Manufactures. It is my humble opinion also that if the Merchandize which is now on the way to this place, and which may be Commissioned hereafter, can be forwarded early enough to supply the trade of the Adjacent Country, as well as many traders on the Mississippi (who cannot barter their furrs to so great advantage to any as to our traders) the returns will encrease instead of diminishing, of which I have already had the Honour to write you more circumstantially.

A Memorial to Colonel Hope is likewise gone down requesting the temporary relief of the Gage being ordered to be fitted up; but I am apprehensive if it should be granted the season will be too far advanced for them to reap any Material Advantage by it.

Many families have arrived here from the Colonies since I had the honor of writing to you concerning them, and many more are on the way, as they cannot subsist long on what they have brought with them and as there are no vacant Crown lands to settle them on, they will suffer exceedingly, and hitherto I am not authorised to do anything for them.

I have the honour to be, Sir,
Your most obedient,
Most humble servant,
JEHU HAY.

The Honble. Lt.-Gover. HAMILTON.

No. 14.—BRIGADIER GENERAL ST. LEGER TO LIEUTENANT GOVERNOR HAMILTON.

(*Canadian Archives, Series Q., Vol. 25, p. 134.*)

MONTREAL 15th August 1785.

DEAR SIR,—I had the honour to receive your letter accompanied by the memorial of the Merchants trading to the N. West.

As I have wrote to Lord Sydney acquainting him with my determination on the subject of navigating the Lakes, it would now be too late for me to recede from it, were I ever so desirous.

I hope, however, with you that his instructions regarding it may yet arrive; and that they may prove not only satisfactory to individuals, but beneficial to the general body concerned in that exclusive trade.

Accompanying this, I send you a speech delivered to Mr. Dease at Niagara, and request you will give Colonel Hope the perusal of it after you have read it; for my own part I understand very little of these Indian matters.

I have the honour, &c.,
BARRY ST. LEGER.

No. 15.—BRIGADIER GENERAL ST. LEGER TO LORD SYDNEY.

(*Canadian Archives, Series Q., Vol. 25, p. 156.*)

MONTREAL, 25th July, 1785.

MY LORD—In my letter No. 2 I beg'd leave to communicate to Your Lordship the circumstances under which I conceived myself obliged to deviate in part, from the system adopted by His Excellency General Haldimand respecting the Merchants trading to the Upper Country who memorialed His Honour the Lieut. Governor for leave to navigate the lakes in private Batteaux and Canoes, which he having laid before his Council and signified their requisition thereupon to me in writing that I should so far relax from the Instructions left with me by His Excellency Gen. Haldimand as to allow the Transport of Merchants Goods in private Batteaax and Canoes, observing strictly that all returns of Peltries must be brought down in the King's Vessels—I thought proper to comply accordingly, not thinking myself justifiable in opposing the request of so respectable a Body & so competent to judge of the commercial interests of this Country.

The Merchants notwithstanding have presented a second Memorial to the Lt. Governor, a Copy of which I do myself the honour to enclose your Lordship, praying for a further augmentation of the Marine on the Lakes Ontario & Erie, or permission to navigate in private Vessels, for the more speedy transport of the Goods but as it appeared to me that the cause of their Complaint arose from a temporary delay only, viz.: the relieving the Regiments at the Posts in that Country, and as it was generally understood that there were shipping full sufficient to answer the transport of the King's service upon those Lakes as well as that of the Merchants—I did not think myself authorised to Comply therewith from the pointed instructions left with me by General Haldimand, nor indeed was the expediency of such a measure consistent with my own ideas, as your Lordship will perceive by my answer to the Memorialists, a Copy of which I likewise do myself the honour to transmit. I beg leave further to acquaint your Lordship that I have confer'd with Col. Hope by letter upon this subject, as I do upon most where any impediments are likely to happen to the King's service, not only as my second in Command, but as an officer of whose experience & professional abilities I entertain the highest opinion, and I am glad upon this occasion to acquaint your Lordship that his ideas are perfectly consonant with my own.

I have the honour to be with the greatest respect,
my Lord,
Your Lordships most obedient & most humble servant,
BARRY ST. LEGER.

The Rt. Honble.
LORD SYDNEY &c. &c. &c.

No. 16.—BRIGADIER GENERAL ST. LEGER TO THE MERCHANTS TRADING TO THE UPPER COUNTRY.

(*Canadian Archives, Series Q., Vol. 25, p. 159.*)

MONTREAL, 25th July, 1785.

GENTLEMEN,—His Honor the Lieutenant Governor favoured me by last Post, with a Memorial which had been addressed to him by you respecting your Commercial interests, together with a letter in which he informs me that he has referred you to me for my answer on that subject.

It is my duty and ever will be my study to advance the Interests of Trade in this Country. No exertion shall be wanting on my part to place all matters relating thereto depending on my line on the footing which may prove most advantageous to the parties concerned.

From the information I have hitherto collected, It appears that the obstructions and impediments stated in the Memorial to have been experienced in the Transport over Lake Erie can only have arisen from temporary causes which cannot authorise or justify any deviation from the permanent regulations and Establishment.

I have directed the QuarterMaster General to make the most particular enquiries into the grounds of the complaints which have been made of irregularities in the management of the Shipping Branch and if such have existed I shall enforce such orders as will effectually guard against injury to the interest of the Merchants by the Detention of their property on the communication.

But it is not in my power to comply with the wishes of the Trading Body for an augmentation or particular allottment of the Vessels employed in navigating on Lake Erie, the King's service must in all instances have a precedence. It only remains for me to see that the exertions of the present establishment on Lake Erie, which has been deemed fully equal for the Transport to be carried on, shall be uniformly directed to give the greatest possible dispatch in transporting the effects of the Merchants.

My instructions on the subject of navigating private Vessels on these Lakes are so direct and unconstructive, that were I even disposed to see the necessity of such measures being adopted in the same light which you do—I could not deviate therefrom under the sanction of my own personal and individual sentiment.

I have the honour to be,
Gentlemen,
Your most obedient humble servant,
BARRY ST. LEGER.

No. 17.—JOHN DEASE, INDIAN SUPERINTENDENT, TO LIEUTENANT-GOVERNOR HAMILTON.

(*Canadian Archives, Series Q., Vol. 25, p. 184.*)

(*Extract.*)

NIAGARA 16th Sept. 1785.

SIR,—* * * * * * * * The present state of the Indian trade requires regulation—a number of people belonging to the disbanded troops have settled themselves among the Indians on purpose to avoid the restraints of the Law: There unmolested they exercise every species of cheating &c. their continual jealousies and quarrels give the Indians the most unfavourable impressions of us—formerly no person was permitted to trade without a written permission from the Superintendent of Indian Affairs Now every idle fellow commences Indian trader.

No. 18.—MEMORANDA RESPECTING PUBLIC MATTERS IN THE PROVINCE OF QUEBEC, SUBMITTED TO THE RIGHT HONOURABLE LORD SYDNEY BY GENERAL HALDIMAND,—1785.

(*Canadian Archives, Series Q., Vol. 25, pp. 298-299.*)

(*Extracts.*)

2ndly. Preservation of the Furr Trade and Request of the North-West Company respecting discoveries, set forth in a memorial which I had the Honor to transmit to your Lordship.

The advantages which may result to the Nation in the Furr Trade, from the discoveries in which the Merchants of the North-West Company are now engaged, I think merit attention, and may induce a compliance with their Request for an exclusive privilege of trading by the Route which they expect to discover, for a certain Term of Years, and upon the conditions set forth in their Memorial. (p. 298).

3rdly. Plan for the Navigation of the Lakes in the Upper Country.

The navigation of these Lakes by the King's Vessels only, is an object so nearly connected with the entire preservation of the Furr Trade, that I have withstood various applications for building and navigating private Vessels and Boats upon the Lakes; the Rivers and Outlets from them to the American States are so numerous that no precautions which could be taken, in that case, would be effectual in preventing a great part of the Furrs from going directly into the American States, and there is but little doubt that traders will carry their commodities to the best market, whatever may be the consequences; indeed several instances have already occurred, since the Peace, of their smuggling Furrs even from Montreal over Lake Champlain, into the States, nothwithstanding the vigilance of the Civil and Military Officers—what then would be the case upon the remote Lakes may easily be conceived. I would, therefore, recommend by all means, that a sufficient number of King's Vessels be kept up upon the Lakes, and all other Craft whatever prohibited, not only for the foregoing Reasons but in all Events to preserve a superiority upon the Waters in that Country.

Having from motives of Œconomy reduced the Marine Department, perhaps in same degree below the Establishment that may be found necessary for all the purposes of the Transport, such arrangements should be made as will leave the Merchants no room to complain which, I find, they are inclined to do as a pretext for their Application to navigate in their own vessels, for tho' some trivial neglects might have happened in the course of the War, they cannot occur in times of Peace. Should this Plan be approved, it will be necessary to place an Officer of the Royal Navy at the Head of that department, who has a local knowledge of the Service and who will take the trouble to discharge the duty faithfully. I know one who, if He will undertake it, I am satisfied from a long experience of His abilities & Assiduity, as well as His disinterested Sentiments, will give perfect Satisfaction. The Officer I would recommend is Captain Chambers who commanded upon Lake Champlain during the War. (p. 299.)

NOTE D.

INTERNAL COMMUNICATION IN CANADA.

No.1.—JOURNAL OF LIEUTENANT FRENCH.

(*Canadian Archives, Series Q, Vol.* 23, *p.* 10.)

A Journal of Lieut. French's Proceedings in Exploring the Lands on the Ottawa River from Carillon to the Rideau and from the mouth of the River to its source, from thence to the River Ganonoucoué, and down the same to its Fall into the St. Lawrence about five leagues North-East from Cataraqui.

September 29th, 1783.—Departed from Carillon with seven men of the Provincials, Two Canadians and an Indian Guide with two Bark Canoes to the Head of the Long Sault, about Twelve Miles Distance, steering West 45 Degrees North in the General Course, myself with a party Travelled on the North side over a Tract of Land, laying between the River and Mountain at about two Leagues distance, a great part of which we found to be a good Soil, well watered with Small Streams, Timbered, Principally with Beach, Maple and Birch, sufficiently level, and in every respect fit for Agriculture, the other parts are Rocky and uneven, but not to that Degree as to prevent a good Road being made, without any uncommon difficulty.

The Mountain on the North joins the River at the Head of the Long Sault.

30th.—Proceeding up the Ottawa, Steering West 5 Degrees South, about twelve Miles, sending out a Party on the South Shore, who Reported they had been a League, and that the Lands were bad consisting of Stony ridges, Timbered with Evergreens, and low Swamps. From thence we continued in the Same Direction about Ten Miles further, where I made an Excursion of a League South finding the Lands stony, a Bad Soil, and Timbered with Hemlock, Cedar, &c.

The Mountain in this Days Journey continues with the River on the North, and the South Shore is drowned in time of High Water.

October 1st.—Proceeded West 20 Degrees South to a Point called the Barrier at 18 Miles Distance, the Ottawa here is nearly a League in Breath, inclosing several Islands of Considerable Extent, which as well as the South Shore are annually overflowed, and but a small portion of them are high Enough for Meadow Lands.

A party sent out at the Barrier South, reported they had been Two Miles and found no Land fit for Tillage.

The Mountain leaves the North Shore about Ten Miles before we arrived at the Barrier, from thence we continued steering West 15 Degrees South, 5 miles, Encamping on the North Shore, on a piece of Land, which raises above the high Water Mark, laying between the River and a Deep Marsh, about one mile back, and by tracing it a considerable distance each way, found it Intirely level, of the best Soil, and timbered chiefly with Birch and Hickory. From behind the Marsh, the Land has an easy ascent towards the Mountain, which appears to be at 7 or 8 Miles Distance.

A party sent at the same time on the South Shore Reported they had been more than a League, that after leaving the River half a mile, they raised on to high Lands of an Excellent Soil, Timbered with Beech, Maple, &c., clear of Rocks or Stones, and that the further they penetrated the more even and Fertile the Land appeared.

October 2nd.—Steered West 15 Degrees South 10 miles; from whence I sent a party to the Distance of a League on the South side who Reported they found the Lands rockey for a Quarter of a Mile and then it was good and Equal to what had been seen the day before.

In the same time I made an Excursion to the North, found a Marsh behind at the distance of a Mile and half, and the Land between that and the River to be of

the best sort, from thence we continued about 8 Miles in the same direction to the River du Rideau, and by a Carrying Place of a Mile entered our Canoe into the Rideau.

3rd.—A Party sent South East from the Carrying place, Reported they had been a League, and found the Soil every where good and deep, Timbered with Maple, Elm and Butternutt, but did not discover any Springs or Water in their Route.

From the Carrying Place we steered up the Rideau South 15 Degrees West, five miles in deep still Water, and thence for about 7 Miles further in a Rapid Current. In this days Journey, the Canoes were Navigated by two men each, a party Travelled on each side the River, myself always being one, changing sides occasionally, and frequently leaving the Shore at half a mile distance.

The Banks of the River in general raise about Twelve feet above the High Water from thence the Land continues very Level, it is a Dark Soil 7 to 10 Inches Deep, with a Sandy Loam below, clear of Rocks and Stones, Timbered with Maple, Beech, Birch, Elm, Butternutt, &c., with an Edging of Cedar and Pine always covering the Banks of the River, and wherever the Water is Rapid, the Shores are Lined with Lime Stone, in the Route there was two Excursions made on each side the River to the distance of a League in which myself and party's found the Lands everywhere good, we Encamped at the Entrance of a small Rapid river from the North West forming a convenient Mill Place.

4th *October*—Continued South 15 Degrees West for about Ten Miles in still deep Water where the Rideau receives another small river from the North West, from thence we had a Rapid Current for five Miles in the same direction. In this days Route, we proceeded as on the 3rd and found the Lands the Same, as well as in our Excursions as on the shores of the River.

5th.—Proceeded steering South 45 Degrees West about 16 miles, in still deep Water, the River is here from 100 to 150 Yards Broad, the shores are low and overflowed in the time of High Water to about 80 roods back where the Land rises high and is Equally good as that discovered the two preceeding Days.

A Considerable River Enters here from the East which leads to a Branch of the River de la Petite Nation, from whence the Indians have a Communication to Oswegatchie.

A party sent out from hence one League North West Reported they found the Soil and Timber the same as hitherto, but the Surface not so Level. At the same time I made an Excursion South East and found the soil good with a few Pine and Hemlock Trees mixed with the Timber.

We continued steering South 60 Degrees West about 5 Miles in Rapid Shallow Water, meeting with a Fall sufficient for Mills, the High Lands again join on the River, and is Stony and uneven for near half a mile back, where they are Level.

October 6th.—We proceeded South 25 Degrees West about four miles in Rapid Water, meeting with a considerable Fall and a Carrying Place of 400 Yards, from thence the Water is still for 5 miles in the same direction with a Drowned Swamp about 50 Roods Broad on Each side the River, behind which the Land raises high, with a Gravelly Soil, Timbered principally with Beech, and Stony, but not to that Degree as to render it unfit for Cultivation.

A party sent out on each side to the distance of two miles, Reported they had found no Stones, more than half a mile back, and that the Soil was good.

From thence we continued South 45 Degrees West about 4 miles, the River is here very Crooked and Rapid, the Lands continuing Stony on the Shores, with a little gravel in the Soil and Timbered with Beech and Maple.

7th.—A party sent from our Encampment on each side Reported they had been a League, and found no Stones at any Considerable distance back, and that the Soil and Timber was equal in goodness to any seen before.

From thence we Proceeded South 45 Degrees West about 5 miles, where we met with Eight Falls in the Distance of a Mile, from 4 to 10 Feet each, and the River Divided by several Rocks and Islands forming very convenient places for Mills. Con-

tinuing in the same Direction for 6 Miles further we entered into a Lake. The Land in this days journey in general are Stony and uneven near the River, but level and good a little back.

October 8th.—Proceeded South 40 Degrees West about 3 Miles in the Lake from whence I made an Excursion South East of 2 Miles, finding the Soil and Timber good.

Proceeding 8 miles further South 45 Degrees West I sent a Party on the West Shore who Reported they had been three miles back and that the Lands were good and clear of Stones, and Timbered as usual, from thence we continued South 45 Degrees West to a Narrows, at 5 miles distance, I here made an Excursion to the East, discovering no other alteration than a few stones in the Land.

9th.—We proceeded South 30 Degrees West 5 miles to the S. E. Point of the Lake, from whence by a Carrying Place of a Mile and Quarter, we entered our Canoes into the River Gananoncoui.

The Lake is from one to three miles Broad, and the good Lands join on the Water at the Bottoms of all the Bays. The points setting into the Lake are Rocks and Stones, Timbered with Hemlock.

10th.—Proceeded down the Gananoncui, steering in a general course South 30 Degrees East to a small Lake, and by a River to a second, and a Carrying place to a 3rd Lake, and again by a River to the 4th Lake, from whence we had a Carrying place of a Mile & half, reckoning the whole distance about 16 Miles. The Lands laying in this Route is intirely too rocky to Cultivate, the Timber is Pine, Cedar and Mountain Oak, the whole bad of its kind, at the Carrying places mentioned are good Mill places.

October 11th.—We proceeded South 20 Degrees E. 8 Miles, with a Mountain on the W., and very high Ledges of Rocks on the E., from whence I sent out a Party on each side to the distance of five miles, who Reported that they had not discovered any Land fit for Tillage, the whole being either very Rocky or Drowned Swamps.

12th.—Steered South 12 Degrees, E. about 4 miles where the Gananoncui receives a River from the E. We continued in the same direction 8 miles further in Dead Water, with large Marshes on each side and Ledges of Rocks between, from whence I sent a Party on the E., and went myself on the W., but did not Discover any good Lands.

From this we continued about Ten Miles in the same Course, nearly meeting with nothing but Swamps, Rocks and Stagnated Water.

13th.—A Party sent out on each side the River to penetrate 2 Miles, Reported they found no Land that was good.

From thence we proceeded, Steering S.,—in a Strong Current, about ten Miles, discovering a few small Tracts of good Land near the River, but scarcely sufficient in a place for a Farm, to a Fall of 10 Feet, where the Gananoncoui Discharges itself into the St. Lawrence about five Leagues N.E. from Cataraqui, where we arrived on the Morning of the 14th.

From the Whole.

The Tract of Country from Carillon to the Head of the Long falls, on the North shore extending back to the Mountain may contain about 20,000 Acres of Arable Land, which is sufficiently Well Watered by Small Streams, and tho' heavy Timbered with Beech, Maple, Birch, &c., is not so difficult to Clear as the Lands, Timbered with Evergreens.

On the South Side of the Ottawa from a littie above Point Barrier a Tract of good Land begins, at half a Mile back from the River and Continues up to the Rideau about 20 Miles.

On the North side there is a Considerable Quantity of Land bordering on the Ottawa for the same distance of a Soil sufficiently rich to Produce Hemp, Flax or Hops; Timbered with Birch and Hickory.

From the Mouth of the Rideau to its Head, a Distance of at least Eighty Miles, the Lands are good on both sides the River and may he all cultivated, except a few

Swamps and Stony ridges, which in the whole, will not amount to more than five Miles on a side. However, there is not many Streams of Water to be found, back from the River, and the Lands fit for Meadows hardly bears proportion to the Plow Land, which latter is of the best Soil, and will produce Winter as well as all other sorts of Grain, and to the greatest perfection with proper Tillage.

The Timber is neither too heavy or too light and in general is very Tall and Straight without any Underbush, and I should suppose that a Man, will be able to clear, in the American Method an Acre fit for seeding in eight days.

From our entrance in the River Gananoncoui to its fall into the St. Lawrence, I did not discover as much good land Conveniently situated as would serve one Farmer.

G. FRENCH,
Lt. and Asst. Engineer.

QUEBEC 29th October 1783.

No. 2.—LIEUT. COL. BY, TO GENERAL MANN.

(*Canadian Archives, C.* 43, *page* 54.)

MONTREAL 13th July 1826.

SIR,—I have the honor to report that on examining the Military defences of Canada, it appears self evident, that by forming a steam boat navigation from the River St. Lawrence to the various lakes; would at once deprive the Americans of the means of attacking Canada, and would make Great Britain mistress of the trade of that vast population on the borders of the Lakes, of which the Americans have lately so much boasted, and to secure this trade have expended immense sums of money in cutting Canals, which Canals, would in the event of our Steam boat navigation being completed, ultimately serve as so many outlets for British manufactured goods.

I therefore feel it my duty to observe that all the Canals at present projected, are on too confined a scale, for the increasing trade of Canada; and for military service they ought to be constructed of sufficient size to pass the Steam boats best adapted for navigating the Lakes and rivers of America, which boats measure from 110 to 130 feet in length, and from 40 to 50 in width, drawing 8 feet of water when loaded, and are capable of being turned to military purposes without any expence, as each boat could carry four 12 pounders and 700 men with great ease, it is therefore evident, that the moment our Canals and Locks are completed on this scale we shall not only possess the trade of that immense population on the borders of the Lakes, but also have military possession of the Lakes, for by having the power of collecting our Forces at any one point with a rapidity of motion, that no land movement can equal, the Lakes must remain in our possession, and consequently, Canada rendered perfectly secure from attack. The number of these steam boats now building on the banks of the St. Lawrence is one of the great proofs of the increasing trade and prosperity of this country. I therefore strongly recommend, the Welland, the Rideau, and the Grenville Canals being constructed on a scale sufficient to pass these steam boats; but to make this practicable the North passage round the Isle of Montreal must be deepened in several places, and one, or two locks constructed. These works when completed would form one uninterrupted line of Steam boat navigation from Quebec to the Upper Lakes; and by opening the Richelieu River in the same manner to admit the steam boats entering Lake Champlain would be the means of making the River St. Lawrence the great outlet for all the produce of that vast tract of land connected with the Lakes; notwithstanding the strong efforts the Americans are making to draw off this Trade by cutting various Canals; but as I have already observed, when our steam boat navigation is completed, their Canals will only serve as outlets for British manufactured goods.

The Lachine Canal is a well executed and useful work capable of passing the trade of Montreal; but if in 4 or 5 years, the grand works I have just mentioned should be completed (and I have no hesitation in stating that I could complete them

in that time) the Lachine Canal would not be sufficient to pass one hundredth part of the trade of the Lakes; but this is of no consequence as the bulk of that trade would pass down on the north side of Montreal to Three Rivers which, being the first roadstay in the St. Lawrence, will ultimately become the general rendezvous for shipping. The expense of enlarging the Grenville Canal will be trifling when compared with the magnitude of the advantages to be gained by an uninterrupted line of Steam boat navigation from Quebec over the Lakes of Ontario, Erie, Huron, Michigan & Superior, which is to be effected by a trifling work at the falls of St. Mary's and as the greater part of the trade of this extensive country would pass through the Welland Canal when completed, but which is yet in a state of infancy and may therefore without loss be altered to any dimensions, I am of opinion Government should have the entire control over that passage, and that the water communications of Canada should not be confined and shackled by Chartered Companies.

The Lachine Canal having been executed under the direction of zealous honorable men and situated in the most advantageous part of the country for carrying on works, with fine stone quarries and every facility at hand has with all these advantages, cost upwards of £107,000, a sum double its original Estimate, I mention this to prove that the Civil Engineers of this country are either very ignorant, or have designedly estimated these works at less than they can be executed for. I therefore beg to state that from the price of labour at this moment, I conceive that to pass the large size steam boats as before recommended.

The Welland Canal would cost.....	£	400,000
" Rideau Canal "		400,000
" Grenville Canal "		100,000
" North side of the Isle of Montreal.....		150,000
" Richelieu.....		150,000
Making a total of.....	£	1,200,000

These sums may be more or less than necessary for executing the proposed works; but Locks and Canals capable of passing the large size steam boats will not be more than sufficient for the growing trade of Canada, and it would be a constant source of regret to construct works too small to pass the vessels best adapted to the navigation and defence of the Lakes. And as there can be no doubt but that the Tolls on this extensive line would in a few years repay not only the interest but the principal, and that this uninterrupted line of communication would be the means of opening a market for British goods, much greater than has yet been anticipated by the most sanguine calculators, I hope I shall receive orders to commence these Works with promptitude & vigour, as that would relieve thousands from distress and reanimate both provinces, which certainly appear to feel the general pressure of the times. The enclosed report of the directors of the Welland Canal Company, point out the great advantages to be derived from connecting the Upper Lakes of Canada by a water communication and a moment's reflection is sufficient for a military man to understand the vast importance of connecting Lake Champlain and the Upper Lakes with the River St. Lawrence by an uninterrupted Steam boat navigation and it is evident that this would be the most economical mode of defence that can be adopted for the number of Steam boats, now employed in the trade of Canada, are sufficient to move an army of 10,000 men, with all its equipments; and this available military power is kept in a constant state of increase, and ever ready for action by the trade of the country, without any expense to Government. I am therefore of opinion whether the works I have now the honor of projecting, cost one or two million, it is of no moment, when compared with the positive economical means they will afford of rendering Canada perfectly secure, and safe from any attack the Americans may hereafter meditate.

I have the honor to be, Sir,
Your most obedient Humble Servant,
JOHN BY, *Lt. Col. Rl. Engineers.*

No. 3.—MINUTE BY THE DUKE OF WELLINGTON.

(*Canadian Archives, Series C., Vol.* 43, *page* 35.)

STRATHFIELD SAYE,
10th August 1826.

I want to have considered and decided if possible, before the Cabinet shall meet on the 5th of next month, how much money we shall require to lay out on the communications in Canada in the year 1827. I would include those on the Niagara Frontier.

Beg of General Mann to communicate with Sir James Smyth on this subject.

W.

No. 4.—SIR J. C. SMYTH TO GENERAL MANN.

(*Canadian Archives, Series C., Vol.* 43, *page* 35.)

NUTWOOD RYEGATE,
17th August 1826.

SIR,—In obedience to your orders as communicated to me by Lt. Colonel Ellicombe, in his letter of the 11th inst. forwarding to me at the same time a copy of His Grace the Master Generals minute of the preceding day, on the subject of the probable amount of the money which may be required in the ensuing year for the service of the Canals, or internal Water Communications now carrying on in the Canadas, I beg leave with the utmost respect to offer the following observations:

The money granted last year by Parliament towards the Canadian Canals was £15,000, of this sum £10,000 was allotted to that part of the water communication between Montreal & Kingston upon the Ottawa under the charge of the Staff Corps and Lt. Colonel By was permitted to expend the remaining £5,000 in carrying into effect the necessary preliminary measures upon the Rideau and in the neighbourhood of Kingston according to the best of his judgement. The whole of the Estimate for the Rideau is £169,000. If we deduct the £5,000 Lt. Col. By may be supposed to have expended there will remain £164,000 and if this amount is divided by 5 (being the number of years the operation will probably require) it appears that £32,800 is the sum which ought to be demanded for the service of next summer towards the Rideau Canal with a view to its being completed in the year 1831. I take the liberty respectfully to remark that whatever may be the amount it may be determined upon to apply for, it is of the utmost consequence that Lieut. Col. By should have the most early notice in order that he may make his arrangements accordingly.

The sum allotted last year to that part of the proposed communication which is on the Ottawa it has already been stated was £10,000. This was merely according to what has hitherto been usually given since the commencement of the Works, and at which rate the Staff Corps cannot complete their part (including the chute a Blondeau, the Carillon and the Ste. Annes Rapids) before the end of 1832 even supposing no unforseen obstacles present themselves. As they have now another company employed upon this duty they have the means of greater exertion, and as it is evident the whole of the water communication between Montreal & Kingston should be completed at the same time if possible, it seems that it would be adviseable to augment the Annual Grant for the part of the undertaking and that it might with advantage be made £15,000 instead of £10,000.

His Grace the Master General in the latter part of his minute having alluded to the Welland or Niagara Canal upon the Niagara Frontier, I beg leave to observe that this Canal is carrying on (as more fully stated in page 50 of the Report of the Commission of which I had the honor to be President), by a Private Company under the sanction of the principal Legislature. The Estimated Expense is £147,240. It is understood that the Company look forward to some assistance from His Majesty's

Government in consideration of the advantage which will accrue to the Government in the saving of expense in forwarding Stores to Lake Erie and the upper part of the Province. In the case of La Chine Canal (which was executed by the authorities of Lower Canada), H. M. Government gave £12,000 or about a ninth of the money required, upon condition of all boats & vessels with Government stores being allowed to pass duty free or without any Lockage being demanded. I take the liberty with the utmost respect to remark on the subject of the Welland or Niagara Canal, that it appears to me it will be necessary, that some similar agreement should be entered into with the Proprietors and be clearly understood before any money is advanced.

This of course is an arrangement which will be attended to by the Colonial office through the Lieut. Governor of Upper Canada. Should H. M. Government deem it advisable to afford them some assistance towards the Niagara Canal as was done towards that of La Chine the ninth of the Estimated Sum will be £16,360. It may be perhaps adviseable here to repeat the observation contained in page 50 of the Report before alluded to respecting the dimensions of the Locks.

In any agreement with the Proprietors too much caution cannot be observed on this point. In return for whatever money may be advanced by Government the Proprietors of the Canal ought to be required not only to allow all Government boats & vessels or other boats and vessels when employed carrying Government Stores to make use of the Canal without paying any duty; but also engages to construct the Canals (or rather the Locks of the Canals) at least 22 feet broad. The £16,360 might also be paid only by yearly or other periodical instalments in proportion to the progress of the Work. If divided by 5 it would be £3,432 per annum for the five years, the work it is estimated will be in hand.

If the foregoing observations are correct it would appear that the following sums will be required to be expended in the Canadas during the ensuing Summer upon the proposed water communication, viz.:

1. On the Rideau Canal, under the superintendence of Lt. Col. By	£32,800
2. On the Rapids of the Ottawa by the Staff Corps	15,000
3. Towards the Niagara or Welland Canal carried on by a Company	3,432
Total	£51,232

I have &c.,
J. CARMICHAEL SMYTH,
Major General.

General MANN, &c., &c., &c.

P. S.—I have the honor to return the copy of His Graces Minute of the 10th instant.

No. 5.—SIR J. CARMICHAEL SMYTH TO GENERAL MANN.

(*Canadian Archives, Series C., Vol.* 43, *p.* 42.)

NUTWOOD RYEGATE,
23rd August 1826.

SIR,—I have read with attention Lt. Col. By's letter of the 13th July from Montreal forwarded to me by your order by Colonel Mann in his letter of yesterday's date.

Lieut. Col. By proposes that the Rideau Canal should be executed upon a scale of sufficient size to allow the circulation of Steam boats of 50 feet in breadth. That the dimensions of the Canal & the Locks now in progress upon the Ottawa, under the charge of the Staff Corps should be enlarged to correspond with the size he recommends for the Rideau. He also proposes the same scale of 50 feet for the Niagara or Welland Canal. He expresses a wish that the navigation of the St.

Lawrence at the north end of Montreal may be improved and suggests an idea of clearing the bed of the Richelieu so as to allow Steam vessels of 50 feet in breadth to navigate from the St. Lawrence into Lake Champlain.

On these different subjects I take the liberty of offering with every respect the following observations:

The great object & use of the back water communication from Montreal to Kingston, is to enable Government to forward Stores, Provision, Ammunition & Troops to the Upper part of the Province without the risk of capture or being engaged in time of war in petty Hostilities with the Americans on the St. Lawrence. It is evident a Canal of small dimensions, if these purposes only had been to be considered, would have been sufficient. The Tolls which may be hereafter derived from these Canals were however also to be remembered. It was understood that the Settlers and Canadian Farmers were more likely to avail themselves of a canal which would receive the craft which they employ to navigate Lake Ontario, the Ottawa and the St. Lawrence, than of one which would require the use of several vessels of different sizes and the consequent transhipping of their produce of each change of conveyance between Lake Ontario and Montreal. These considerations caused the adoption of Locks of 20 feet in breadth for the Grenville Canal and which dimensions must influence the remainder of the Water Communication. These dimensions are sufficiently large to permit the circulation of Gun boats from Kingston to Lake St. Lewis (at Montreal) to oppose any attempt to pass the St. Lawrence from the Chateaugay side.

I confess any additional size of Canal appears to me likely to cause a great additional expense without a corresponding benefit. Troops and stores can be forwarded as quickly by a Canal of 20 feet in breadth as upon one of 50 feet. Lieut. Col. By mentions the quick circulation of Steamboats by this Canal. I believe in this country by Act of Parliament Steam Vessels cannot be used upon a Canal from the serious injury the banks would receive by the undulation in the water caused by the steam. The mischief would be equally to be avoided in a canal in Canada. If the idea of conveying Fighting Vessels beyond a Gun Boat is once indulged in there can be no end to the proposed size of the Canal. The Gun boat fortunately requires no greater scale of Canal than is absolutely necessary for the Craft which must navigate the Canal in order to pay the expense of its excavation.

A Canal of 20 feet breadth of Lock will pass Gun Boats, the Craft of the country, & will pay for its construction.

As steam cannot be used on a Canal, Locks of 50 feet in breadth would do no more than circulate Gun Boats & the same sized Craft. Frigates could not make use of them without such a corresponding depth of excavation as to make the idea quite out of the question. The expense of Lt.-Col. By's proposed scale would be prodigious & no more revenue would be derived than from the Canal with the Locks of 20 feet in breadth. As far as the Rideau & Grenville Canals are concerned, that is upon the whole of the proposed water communicaton between Montreal & Kingston, I am decidedly of opinion, things cannot go better than upon the scale & dimensions they have already been commenced upon.

I observe Lt. Col. By's letter is dated from Montreal. He can hardly I presume, as yet have gone over the country between the Ottawa & Kingston.

When he has completed the Plans, Estimates & Surveys for this special service, in obedience to his instructions and ascertained the extent of embankment he will require at the Mud Lake to form a Reservoir as a Feeder for the Canal with Locks of 20 feet in breadth, he will be better able to judge not only of the propriety, but of the possibility & the expense of extending the dimensions to the scale he has proposed. The impression upon my mind is that he would encounter greater difficulties than he seems to be aware of.

With respect to the Niagara or Welland Canal, I can only make nearly the same observations. The dimensions of the Locks for this Canal ought not to be less than 20 feet.

I do not see any benefit to be derived from a greater breadth without a corresponding depth. Locks of 20 feet in breadth will afford every advantage; a larger Canal will never pay, will cost a prodigious sum, & will not afford corresponding advantages.

The improvement of the navigation of the St. Lawrence at the north end of the Island of Montreal, and of that Channel of the River which flows between the Island of Montreal and that of Jesus, is no doubt a desideratum.

It is not however an object which essentially presses. The great matter I beg leave most respectfully but earnestly to observe is the completing the water communication from Montreal to Kingston upon a scale sufficiently large for every practical purpose.

The Lachine Canal is already finished & that upon the Ottawa in progress, with the same dimensions.

I take the liberty of adding that in my opinion, Lt. Col. By cannot do better than proceed with all possible expedition upon the scale already approved of.

It does not appear to me that Lt.-Col. By has taken a judicious view of the Military Features of defences of Canada in proposing to improve the navigation of the River from Lake Champlain to the St. Lawrence. If he could add to the impediments, it would, in my opinion, be more advantageous to His Majesty's Service. As he has however, only thrown out this idea without entering into further particulars perhaps you will not think it necessary that I should trouble you any further upon this subject.

I am &c.,

J. CARML. SMYTH,
Major General.

General MANN.
&c., &c., &c.

No. 6.—GENERAL MANN TO LORD FITZROY SOMERSET.

(*Canadian Archives, Series C., Vol.* 43, *page* 49.)

84 PALL MALL,
26th August 1826.

MY LORD,—In conformity with the orders of the Master General, as signified in his minute of the 12th inst., I have had communication with Sir James Smyth relative to the amount of money that may be required in the year 1827 to carry on the Canal Communications in Canada. Sir James Smyth's answer is herewith enclosed. In his statement of the sums required, he has included what he supposes will be required for the work executing by the Staff Corps; this as a matter of information, is no doubt desirable; but the money heretofore granted for the work, to be executed by that Corps, has been given I believe without any reference to the Ordnance.

Just as I was about to forward Sir James Smyth's Report, I received a letter from Lt. Colonel By, dated Montreal 13th ultimo, in which he submits some new ideas respecting the superior advantages that he supposes might be derived from enlarging the dimensions of the Canals beyond what is at present intended, and although the Lt. Colonel's zeal is praiseworthy yet I did not fall in with his opinion either of the practicability or advantages of what he proposes; nevertheless as the subject itself is of importance, and it is well that it should be considered in every point of view, I thought it advisable to have Sir J. Smyth's opinion upon Lt. Col. By's project; accordingly his answer to the reference I made to him is herewith inclosed dated 23rd inst, which I also transmit for the Master General's information.

I am &c.,

GOTHER MANN.

M. General
Lord FITZROY SOMERSET, &c., &c., &c.

No. 7.—LORD FITZROY SOMERSET TO GENERAL MANN.

(*Canadian Archives, Series C., Vol.* 43, *page* 50.)

OFFICE OF ORDNANCE,
1st Sepr. 1826.

SIR,—I have brought under the Master General's consideration your letter of the 26th ultimo with its enclosure from M. General Sir J. C. Smyth, in answer to His Grace's reference relative to the amount of money that may be required in the year 1827 to carry on the Canal Communications in Canada; as also a letter from Lt. Col. By proposing the enlarging the dimensions of the Canals, and the observation of Sir James Smyth upon this suggestion.

The Master General desires that you will communicate to Lt.-Col. By, through Colonel Durnford, Commg. Rl. Engineers in Canada, the observations contained in Sir James Smyth's letter, and request him to proceed with activity to execute the Service upon which he is employed, without altering any part of the plan proposed, acquainting him, however, that His Grace will be always happy to receive his observations upon any part of it & his suggestions.

It appears to the Master General obvious that vessels propelled by steam, cannot be used upon Canals, without injury, possibly to the amount of destruction of their banks & that very little would be gained by towing Steam boats upon the Canals, while to construct the Canals of the breadth of 50 feet would enormously increase the expense & probably the time required.

The Master General desires, however, that Lt.-Col. By may be informed that as he proposes to construct Canals of 50 feet wide in 5 years, His Grace thinks he must be certain of having at his command the Labourers to perform the Work ordered in four years, and it is upon that notion, that His Grace intends that the Estimate for next year's work shall be laid before Parliament.

You will further desire Colonel Durnford to observe to Lt.-Col. By, that he is entirely wrong respecting the navigation of the Richelieu River.

I have by the Master General's directions transmitted copies of these Papers to the Secretary of State, drawing His Lordship's attention to that part of Sir James Smyth's letter which relates to the Welland Canal and requesting His Lordship to give directions to the Governor of Upper Canada, to settle with the proprietors of that Canal, that they shall construct the Locks of the width proposed by Sir James Smyth, viz : 22 feet; and that they should moreover consent to the transport gratis, of all Government Property, on the same conditions, as were settled with the La Chine Canal. This being settled they would be paid one-fourth of the Sum agreed upon in each of the four next years; that is 1827, 1828, 1829, 1830.

I have &c.,

FITZROY SOMERSET.

No. 8.—LT.-COL. BY TO GENERAL MANN.

(*Canadian Archives, Series C., Vol.* 42, *p.* 145.)

MONTREAL,
6th December 1826.

SIR,—I have the honor to acknowledge the receipt of the Reports from Major General Sir J. C. Smith, dated the 17th & 23rd August, from General Mann the 26th August & from Lord Fitzroy Somerset of the 1st Sept. 1826.

In answer to which I have the pleasure of stating, I feel confident the Rideau Canal will be completed agreeably to my instructions, on the scale of the La Chine & Grenville Canals in four years, although I have great doubts whether it can be performed for £169,000, but I will not venture to give a decided opinion on this subject until I have well examined the whole line.

I regret extremely that Major General Sir J. C. Smith should for a moment conceive, that I would have undertaken the construction of the Rideau Canal, had I felt as wanting in practical knowledge as I imagine he conceive I must be, from his remarks on my letter, recommending a steam boat navigation through the Canals of Canada; for according to my proposed plan for making the North passage round the Island of Montreal navigable, a steam boat would have to be towed only two miles, in her voyage from Quebec to Grenville, a distance of 340 miles; I therefore beg leave to ask, is it to be supposed that steam boats will not be used, because they must be towed through a short canal of two miles, in such an extensive voyage. The same question is also applicable to the Grenville Canal, a distance of about 12 miles, connecting two rivers or Lakes, each 60 miles long, which brings us from Montreal to the proposed Rideau Canal. The nature of this canal, or rather water communication, between the Ottawa & Kingston, appears to me not clearly understood; in the total distance of 133 miles there will be only about 20 miles of cutting, through which a steam boat would have to pass, the remaining 113 miles consist of natural rivers & Lakes with strong banks, & of sufficient width to admit of a number of vessels passing each other at the same moment—the summit level, or bound of the Rideau Canal, is a chain of Lakes 30 miles long, and in some parts 7 miles wide; consequently the steam boat is better adapted for the navigation of such a water communication than any other vessel; and I beg to state that these were my reasons for recommending it, in my letter of 13th July last, not conceiving it could have been imagined, that I intended a steam boat should be allowed to work her paddles in the Canal. I omitted to make a remark on the subject, & regret I did not more fully explain myself, for such is the advantage of a steam boat navigation over that of sloops and schooners (which are rapidly falling into disuse) that a number of persons have consulted me on the practicability of constructing steam boats, whose paddles might work on each side of the Rudder and the Engine kept as far aft as possible. Boats on this construction would be able to pass all the locks now in progress, as their wheels would not add to the width of the boat, and in a great measure would meet the objects I had in view, when I recommended a steam boat navigation. Major General Sir J. C. Smith remarks, that the great object & use of the back water communication "from Montreal to Kingston, is to enable Government to forward Stores, "Provisions, Ammunition and Troops, to the upper part of the Province, without the "risk of capture or being engaged in time of war, in petty hostilities with the "Americans on the St. Lawrence." In addition to which the following remarks of the commissioners for the improvement of the internal navigation of the Canadas, appear to me worthy of consideration: "There is another point of view in which "it claims our attention, as connected with a state of peace. In our intercourse "with Lower Canada, by the sole route we can now pursue, we must pass through "the waters over which jurisdiction is claimed by a foreign power, and our Trade is "consequently exposed to vexation, even during the existence of amicable relations "between that Power and the Imperial Government. Through a deplorable over-"sight of His Majesty's Commissioners for determining the boundary line in this "quarter, the United States have acquired a complete control over the navigable "Channel of the River St. Lawrence, in the neighbourhood of Cornwall—a control "which they will not fail to turn to the best account. The messages of their "Presidents and Governors speak a language which on this point is not to be mis-"understood, and the character of the Nation forbids the supposition that an "advantage once gained in negotiation, will ever be neglected, or foregone—a right "which it is attempted to support on the authority of international Law, is asserted "on their part to a free navigation of the St. Lawrence, as well as an entrepôt for "their commerce at some convenient point on its banks within the King's Dominions. "This right they have already endeavoured to get confirmed by treaty with His "Majesty's Ministers, but hitherto it would appear, they have met with little success. "Possessing nevertheless, in consequence of the unaccountable cession of Barnhart's "Island, a plausible pretext for claiming at that point, the absolute dominion of the "River, as well as the power of stopping our boats and rafts on their passage to

"Lower Canada, or of imposing on them such transit duties as they choose, they can "fetter our intercourse with the seaports at pleasure, and render the St. Lawrence a "very precarious highway for our commerce. There can be no doubt that they will "use every diplomatic art, in order to extort some privilege in return for the re- "linquishment of the threatened duties; but as much will depend on the nature "of their demands, which may embrace far more than an actual equivalent for "Islands, intrinsically insignificant, and now rendered important only by the superior "dexterity of the American Commissioners, a natural repugnance to these claims "may fairly be anticipated on the part of our Government, and for this reason they "may not be soon or easily disposed of."

This trade being carried on in scows and rafts which are loaded with Flour, Potash, Staves &c., &c., and have generally one Durham boat accompanying every 5 or 6 of them, (for the proprietors not only sell their produce, but the scows also at Quebec or Montreal and return with their fresh purchase of merchandise in the Durham boat); it appears that to prevent this trade being interrupted by the Americans, the Rideau Canal should be of sufficient dimensions to admit these scows and rafts to pass; for when once in the Ottawa they can shoot the Rapids in that river, as they would have done in the St. Lawrence, the Grenville & La Chine Canals are of sufficient dimensions to pass the Durham boats—in fact I have ascertained that these canals will pass boats containing 120 Tons, but, as I have already observed, the down trade is carried on in scows and rafts, which are towed by steam boats through the still water and Lakes—I therefore feel, I should be neglecting my duty, if I did not still venture strongly to recommend, that the Locks on the Rideau Canal may be formed 50 feet wide, & 150 feet long, and only 5 feet deep, that being the depth of the Grenville & La Chine Canals, and is quite sufficient for the lumber trade; this would add about £50,000 to the Estimate; the contingent expenses of forming a Coffer Dam at the mouth of the Canal, in the Ottawa River, will be the same whether the Locks are 50 or 20 ft. wide, and the expense of the waste weirs, 4,500 running feet, will be the same, as also the strength of masonry, in one width as in the other, provided the altitudes are equal—and as it is more than probable that the whole of the trade of Lakes Erie and Ontario, will have to pass through the Rideau Canal, in which 50 locks are indispensably necessary & notwithstanding Sir James also remarks, "that he cannot see any benefit to be derived from a greater breadth without a "corresponding depth;" and states "that Locks of 20 feet in breadth will afford "every advantage," I cannot help stating that these locks should be capacious in order to prevent the delays that will otherwise unavoidably occur.

The bulk of the Trade of the St. Lawrence and Ottawa Rivers being, (as I have before observed,) carried on in steam boats as well as scows, it becomes a matter of great importance, not only in a mercantile, but in a military point of view, that every facility of movement should be afforded. In my proposed plan this facility, as well as celerity of movement, will be obtained, and of course, a decided superiority gained by the use of steam boats, in the still water of the rivers and Lakes; and it being self evident that the strength of a country depends much on the rapidity of communication, there can be no doubt but the steam boat navigation will be of wonderful use in the defence of the Canadas. I am therefore of opinion that every possible channel should be opened to them, & am prompted by the repeated opinions of mercantile men concerned in the trade alluded to, to urge most respectfully that the Locks may be allowed to be constructed on the scale of the large dimensions, instead of 20 feet wide & 108 feet long, which they say are too short & narrow for their boats. The depth of the Locks not being altered, the sections I am now taking will be the same in either case, and my preparations for the 20 feet Locks, will equally answer for the 50 feet should they be ultimately approved of. I also respectfully beg to observe that it is the additional depth required for sloops that adds so enormously to the expense and not the proposed additional length & width. I therefore perfectly agree with Sir James' remarks that the Tolls on the deep Canal would not afford a corresponding advantage.

For the above reasons I would likewise recommend that the Lock & cut proposed at the St. Ann's rapid may be form'd 50 feet wide & 150 feet long, and that this work be immediately constructed feeling convinced that I could so arrange that it might be completed in one season, & the expense repaid by the saving that would accrue in the transport of Stores, Tools, &c., &c., required for the Grenville and Rideau Canals, as those articles might be embarked at Quebec or Montreal and be conveyed at once to the Grenville Canal without any carting.

Major General Sir J. C. Smith's remark that my letter was dated from Montreal, & that I had not had time to examine the whole line is perfectly correct, for I conceive it will take me till this time next year, before I complete my researches; yet from the information I have received from Major Elliott & Mr. Clowes the Civil Engineer, both of whom have repeatedly gone through the whole of the proposed line of the Rideau Canal, and are remarkably intelligent men, I feel possessed of sufficient knowledge to speak with confidence on the subject; and as I am now writing at Montreal, it may be necessary to prevent a recurrence of such a remark, to state that I returned from the Rideau on the 22nd of last month (November,) and propose returning on the first sleighing in January, the swamps not being at this moment sufficiently frozen to bear walking over. I beg to be clearly understood that although it will take me next year to complete my examination of the line, I am now arranging for the first eleven Locks to be constructed as early as possible in the spring, and have no doubt from the number of applicants for work, I shall expend during the working season, the whole of the sum allowed for the year 1827, and I trust my report of progress of work at that time will equal the expenditure—for at present I have the satisfaction of stating, I have met with nothing to damp my most sanguine hopes of completing the work in four years, even on my proposed scale of 50 feet wide Locks.

I have the honour, Sir, to be
Your most obedient Humble Servant,
JOHN BY,
Lt. Colonel Royl Engrs. Comg. Rideau Canal.

No. 9.—LT. COLONEL BY TO GENERAL MANN.

(*Canadian Archives, Series C, Vol.* 44, *p.* 80.)

RIDEAU CANAL 6th Feby 1827.

SIR,—I have the honor to report for the information of the Master General and Rt. Honble and Honble Boards that I have attentively examined the whole line of the proposed Rideau Canal and have laid out the various works necessary to complete this grand water Communication from the Ottawa River to Kingston and I have the satisfaction to state that on passing through the Canal route from Kingston to the Ottawa in a birch Canoe, between the 15th and 18th inclusive of May last, I found five feet depth of Water with the exception of the Rapids and Portages, where Cuts, Locks and Wast-Weirs, are proposed, to unite and retain the Waters to their required levels; and I beg to state that nature has so strongly marked the proper positions for these various works, that there can be but one opinion on that subject.

With regard to Towing paths I am of opinion they are impracticable for upwards of Seventy miles, the land being either low and subject to deep floods, or abrupt rocky cliffs. The expense of excavating the latter to form towing paths, would be very great, and those parts that are flooded would require bridging or more properly speaking a causeway, raised with piles and logged over; this might be done, but at a considerable expense, and as the waters rise from 13 to 15 feet, perpendicular every spring above their common level, at the melting of the Snow, it is more than probable these Causeways would be raised with the Ice frozen to their Piles, and be carried off as the bridge at the end of the Island of Montreal was in the Spring of the year 1806; but supposing Towing paths practicable, the Coasting round the

extensive sheets of water would nearly double the voyage; it is therefore evident Towing paths can only be established with advantage where the Canal and Locks are formed, a distance not exceeding 20 Miles in the whole extent of 133 miles. Many parts of the Lakes have 40 feet depth of water, and there are other parts with only 5 or 6 feet depth of water but from 30 to 40 feet depth of soft mud rendering poling quite impracticable, and consequently the vessels navigating these waters, are reduced to their Oars or Sails making the communication very tedious I therefore respectfully recommend Government having a Steam Boat the expense of building which would be from £2,000 to £2,500, this boat would be of great use in carrying Materials during the progress of the Works, and would sell well at their Completion, or soon repay its expenses by acting as a Tow boat when the works are open to the trade of the Country. I therefore solicit the Master General and Right Honble and Honble Board to take this under their consideration and hope they will authorise me to build a Steam Boat without delay of such dimensions as would pass the approved 20 feet wide Locks, for I find the facilities for carrying on these Works much greater than I in my most sanguine moments had anticipated; and I have the honor to report that with the assistance of Capt. Bolton R. Engrs. a scientific and zealous Officer, I have already a great portion of my Work contracted for at moderate prices, viz.:

Mr. Pennyfether contracts to excavate the first eight Locks from the Ottawa River, and to complete this Work by the 1st August, 1827; but it is found impracticable to finish the said excavation by that time, in consequence of the great number of Springs which create an excess of labour and consequently an unavoidable delay

Mr. McKay (the practical mason who built the Locks in the Lachine Canal) contracts to build the masonry of the first eight Locks, and to complete them in two years from the date of signing the contract, but he will be prevented finishing them in that period by the same unavoidable causes as Mr. Pennyfeather.

Mr. Fenlon contracts for clearing and excavating the canal from the first eight locks to the north side of Dows great swamp a distance of five miles.

Mr. Henderson contracts to cut a drain from the Beaver Meadow to the Rideau River, to drain the swamps through which the canal has to pass; this work will be completed in August next.

Mr. Henderson also contracts to form a mound of earth across Dows great swamp being 1,128 feet long, and to construct the Canal on the top of the said mound.

Mr. Fenlon contract also embraces the excavation and forming the Canal from Dows Great Swamp to the Hog's Back, a distance of 1,200 feet, supposed to be chiefly Rock excavation forming an Aqueduct bridge 210 feet long, across Peter's Gully, excavating and constructing three Locks of 10 feet lifts each and forming a Dam of Arched Key Work, across the Rideau River 240 feet wide, perpendicular height 45 feet; this Dam is to convert the present seven miles of Shallow Rapids into a Sheet of Still Water, and thereby save the expense of excavating the canal for that distance.

Mr. Phillips a respectable mason at Montreal is now opening quarries at the foot of the Black Rapids, to construct a Dam across the Rideau River 280 feet wide, perpendicular height 10 feet and a Lock of 10 feet lift; this Dam is to throw back the water and thereby form a sheet of Still Water 5 miles long which completes the Canal to the foot of Long Island Rapids, where I propose three locks of eight feet lift each, and a Dam across the Rideau River 158 feet wide, perpendicular height 24 feet, which will throw back the water three miles, and convert that length of Rapid into Still Water, and give uninterrrupted Navigation for 23 miles to Colonel Burretts house on the Banks of the Rideau River 44 Miles from the Ottawa and height of level 144 feet above the said River. Copies of the above contracts are herewith annexed.

I am now examining the banks on each side of the River at Long Island for if they are not of sufficient height to retain the water when raised 24 feet, I shall be obliged to adopt Mr. Clowe's plan at that place and have three dams instead of the one I

propose. This would add much to the expense ; but as the Country in this part is one mass of thick Forest, it requires great perseverance to penetrate it, and creates unavoidable delays, notwithstanding our unremitted exertions ; our sufferings from the Musquitoes and black flies are great and many of the men fall sick with fevers in consequence. Mr. McTaggart, my Clerk of Works, and the Persons constantly with me on this service, I respectfully recommend being allowed 12s 6 extra p^{r} day in lieu of Travelling expenses, their bodily exertions being very great, and their perseverance highly meritorious.

I beg to observe that the Piling of the foundations, laying of the Stones, forming the Coffer Dams, Waste Weirs, and all such parts as require the strictest attention, I intend performing by Day Work under the immediate superintendance of myself & Officers.

The Progress Report of Expenditure from my commencement up to 1st July, I herewith enclose, and have the honor to state, that owing to the prompt assistance I have received from His Excellency the Commander of the Forces who has allowed me to employ three officers as Assisting Engineers at 7s. 6d. per day and the early arrival of Capt. Victor, Rl. Engrs., and his Company of Royal Sappers and Miners, who, I am happy to state, are all in good health, and joined me at the Rideau near the Ottawa River, on the 10th June last, I have been enabled to commence operations in various parts on the whole line of Canal, that is to say in opening quarries &c., and I have no doubt but in September, I shall have the satisfaction of reporting that the whole of the Works on this extensive line will be contracted for and in a state of rapid progress; I am therefore most anxiously looking for the arrival of the other Company of Rl. Sappers and Miners.

I further beg to report, that from the massy Blocks of hard grey Lime Stone, Granite and sand stone, that the various quarries produce, I shall be enabled to erect Works both durable and ornamental, and as I allow no man to Contract for more work than he can execute in three years, I have every reason to believe this extensive Work will be Completed in four years. Myself and Officers are busily employed in forming Working plans and Sections for various Contractors; but as my substance of Masonry must depend on the tenacity of the Soils found in the excavations I fear it will be this time next year, before I shall be able to send Correct plans and Sections of the various Works.

The enclosed Plan and Section shew the route of the Canal, and position of the proposed Works for the first 44 miles—Mr. Clowes the Civil Engineer, who formed the Report and Estimate for the Rideau Canal in 1825 mentioned to Capt. Bolton and myself that we might depend upon his Levels being correct, and this I have found to be the case; but as he never conceived the Canal would be executed, he had not given himself much trouble to ascertain the best route and was contented with having marked out a practical one. I take the liberty of mentioning this circumstance to account for my having penetrated the Wilderness in so many directions, some Sections of which are herewith transmitted and I hope I have decided on the best line of Canal that can be found. I also enclose a Copy of my demand for stationary and Instruments, which I transmitted last Winter but have not yet received them and consequently am much retarded in my Surveying and levelling operations; having but one Theodolite and that not a very good one.

I have &c.,

JOHN BY, Lt.-Col. Rl. Engrs.
Commg. Rideau Canal.

No. 10.—LT.-COLONEL BY TO THE EARL OF DALHOUSIE.

(*Canadian Archives, Series C, Vol.* 44, *p*, 142.)

RIDEAU CANAL 26th October 1827.

MY LORD,—I have the honour of enclosing the Progress report of Works and expenditure on the Rideau Canal from its commencement on the September

1826, to the 31st of October 1827, with copies of my letters sent to General Mann with the said report, and the Plans and Estimate of the various works indispensably necessary to form a navigable Communication, with five feet depth of water, from the Ottawa to Kingston, amounting to £463,899—these papers I have sent by Lieutenant Pooley, Royl Engrs, who, agreeable to your Lordships suggestion, left me this morning for England by the way of New York, to ensure the Estimate arriving in time to lay before Parliament, he (Lt. P.) having previously passed through the whole line of canal with me; and I have further the honor to report that I found the various works proceeding with great rapidity, and generally speaking to my entire satisfaction. I have now closed my first years operations on the Rideau, and have done so with greater satisfaction than I could have anticipated, as I had not flattered myself with the hope that my exertions could have merited the very handsome manner in which your Lordship has been graciously pleased to speak of them.

I have the honour to be,
My Lord,
With the greatest respect,
Your Lordship's most obedient
Humble servant.
JOHN BY,
Lt-Colonel Royl Engrs, Comg Rideau Canal.

No. 11.—LT.-COLONEL BY TO GENERAL MANN.

(*Canadian Archives, Series C., Vol. 44, p. 202.*)

RIDEAU CANAL, 1st November, 1827.

SIR,—I have the honor to transmit for the information of His Lordship, the Master General, and Right Honble and Honble Board, my report and Estimate with Plans of the various works indispensably necessary to form a Navigable Communication, with five feet depth of water from the Ottawa to Kingston; and although I have commenced the building of three Locks agreeable to my instructions on the same scale as those of the Grenville and Lachine Canals, yet as these Canals have nothing to do with the down trade of the country, as already explained in former letters, I cannot refrain from hoping, that when the Plans and Estimate are examined and the nature of this water communication is thoroughly understood that I shall receive orders to construct the large Locks of 150 feet long by 50 wide, with 5 feet depth of water; as these Locks would pass Steamboats of sufficient size to navigate the Lakes, and also the Spars from 120 to 130 feet long required for the Royal Navy, which those of the Lachine Canal cannot do, they being only 108 feet by 20 wide. I further beg to observe that as the melting of the snow in the spring of the year rises the water in the Ottawa River from 22 to 24 feet perpendicular, and in the Rideau River from 13 to 15 feet, it is evident that these torrents must have washed away from the bank all substances that can be removed and therefore the idea of the paddles of Steamboats injuring such banks is quite erroneous particularly as the proposed canal will only retain the water to the height of 5 feet. The accompanying plans will show the very little excavation required, and that being chiefly Rock, there can be no part of the Banks but what may be rendered perfectly secure from injury.

His Excellency the Earl of Dalhousie, Commander of the Forces having suggested the necessity of my sending an officer with my plans and Estimate to ensure their arrival in time to lay before Parliament, I have ordered Lt. Pooley, Royl. Engrs, to be the bearer of these papers. He having been with me at the commencement of the Work, and just returned with me from examining the various works on the whole line, can give the fullest information and explain whatever I

may in the hurry of business have omitted. Lt. Pooley is an excellent officer and has shown great perseverance and zeal in this service. I further beg to state that from the progress already made at the various works, I feel convinced that on the 12th of August, 1830, I shall have completed this magnificent water communication from the Ottawa to Kingston; but to enable me to do this I shall require about £100,000 each year, for positive disbursements on the spot, and have marked on the plan where the four Companies of Royal Sappers and Miners could be employed to great advantage, should I be favoured with the assistance of two more Companies, in addition to the two already arrived.

I have the honour to be,
Sir,
Your most obedient,
Humble servant,
JOHN BY,
Lt.-Colonel Royl Engrs, Comg Rideau Canal.

NO. 12.—LT. COLONEL BY TO GENERAL MANN.

(*Canadian Archives, Series C., Vol. 44, p. 206.*)

RIDEAU CANAL 1st November 1827.

SIR,—I have the honor of enclosing a plan and elevation of the Bridges of communication at the Falls of the Chaudiere, and have the satisfaction to state there is every reason to expect they will be completed early in December next.

These Bridges are the first land communication that has taken place between the two Provinces, and will be the means of causing the travelling from Kingston to Montreal to pass on the north side of the Ottawa.

I have also the satisfaction to state for the information of His Lordship the Master General and the Right Honble and Honble Board that I have formed a road from the said Bridges to the Hog's Back, and from thence to the Black Rapids, and to the upper end of Long Island Rapids, a distance of 24 miles also a road from the said Bridges, across the gulley at the head of Bellow's Bay to the first eight Locks a distance of about 2 miles, with a Bridge across the said gulley a sketch of which is enclosed; and although this Bridge is extremely rough, it is very strong and durable, being formed of large Cedar.

These Bridges and roads of 26 miles I found indispensably necessary to enable me to get provisions, tools, and materials to the various works on the Rideau Canal, and although they will cost £5,072—as appears by the Estimate and Progress report of Works, they are the cause of immense saving: for when I first advertized the Masonry at the Hog's Back, the Black Rapids, and Long Island Rapids, proposals were given in as high as 4s. 6d. the cube foot of masonry, in consequence of there being no communication to these works; I have now the honor to report that these works are all in progress, and contracts formed for the said works at 1s. 5d. the cube foot, which saving has arisen entirely from the facility afforded to the contractors by the above mentioned roads and Bridges, as they can now receive materials &c. from Hull, on which side of the river there are several sawmills, grist mills, and an excellent Smith's Forge, on an extensive scale, with a Trip Hsmmer, &c. &c.

I have the honour to be,
Sir,
Your most obedient
Humble servant,
JOHN BY,
Lt-Colonel Royl Engrs, Comg Rideau Canal.

ESTIMATE of the monthly expenditure likely to be incurred for the Rideau Canal, for the year 1828.

(*Canadian Archives, Series C., Vol. 44, p. 221.*)

January	£5,000	0	0
February	5,000	0	0
March	10,000	0	0
April	10,000	0	0
May	10,000	0	0
June	10,000	0	0
July	10,000	0	0
August	10,000	0	0
September	10,000	0	0
October	10,000	0	0
November	5,000	0	0
December	5,000	0	0
	£100,000	0	0

These sums include the Pay, Lodging Money, and other Allowances of Persons employed on the civil establishment.

ROYAL ENGINEER'S OFFICE RIDEAU CANAL
20th November 1827.

JOHN BY,
Lt.-Colonel Royl Engrs Comg Rideau Canal, Upper Canada.

Recommended that £41,000 only be Approved,

E. W. DURNFORD,
Col. Commanding Royal Engineers, Canada.

The Commander of the Forces will not approve of a greater sum of Money being provided on this Estimate (until the pleasure of the Master General and Board of Ordnance is known) than was sanctioned for the present year, viz.—Forty one Thousand Pounds Sterling.

QUEBEC 29th November 1827.

H. C. DARLING,
Military Secretary.

No. 13.—LT.-COLONEL BY TO SIR J. C. SMITH.

(*Canadian Archives, Series C., Vol. 44, p. 229*).

MONTREAL 10th December 1827.

MY DEAR SIR JAMES,—I have just been informed that Commodore Barrie is of opinion the small locks will be of no use to him; *he wishes to have the large lock and 7 feet depth of water*, and is anxious to see or hear from me before he writes to Government on the Subject; but as I have not yet seen or had any correspondence with him, and fear it will be the middle of January before I shall be able to reach Kingston by the route of the canal, I take the liberty of troubling you with this information to save time and will write officially to General Mann as soon as I have had communication with the Commodore.

The Enclosed Estimate by Mr. Clowes is formed on the same principal as the one he formed for the Rideau Canal, you should therefore read £6,000 for each lock instead of £2,500; the forty feet wide Locks he recommends are very good, but as we have an abundant supply of Water the 50 feet wide locks are much better, and in time of war would enable us to build our vessels for the service of the Lakes in

the Ottawa River perfectly safe from the enemy and allow the lumber trade to pass without creating confusion; and as the Steamboats that navigate Lake Ontario are from 46 to 48 feet wide, it being absolutely necessary to have a great breadth of beam to render them sea worthy on Lake Ontario, it is hoped that through your influence I shall receive orders to construct the 50 feet wide lock as that would meet the wishes of all parties, and is certainly the best for the Country; those persons who recommended the small or Lachine Locks being adopted for the Rideau Canal conceived that it would be too great an undertaking ever to be effected if the large Locks were decided on, but now the whole line of Canal is laid open and every one can see that nature has formed the Canal, and that the large Locks can be completed in Three years at the trifling increase of £50,000 to my Estimate, all persons are anxious for the large Locks. Commodore Barrie wishing to have 7 feet depth of water will cause a further increase of expense, but not so much as might be imagined for the lands that this additional 2 feet would drown are all waste lands, and subject to heavy floods which render the Country unwholesome. I am therefore of opinion the expense would be confined to raising the Dams and masonry of the locks two feet; this would render the work magnificent and complete in every respect, and by converting these Swamps into Lakes by raising 2 feet of Water over them; will banish the fever and ague, and consequently render my operations more Certain, as that has been the only difficulty I have yet met with; and I further beg to state, in favour of the large and deep Locks for the Rideau Canal, that although the enclosed estimate states it is a shorter distance from Montreal to Kingston by the River St. Lawrence than by the Rideau Canal by 54 miles, yet as the Dams on the Rideau Canal, convert that Water Communication into perfect levels, and thereby destroy all current, the voyage will be performed in a less number of hours, and I am confident that stores of all kinds may be taansported from Quebec to Kingston, a distance of 457 miles (when the Rideau Canal is completed for *Steam boats*) in 77 hours for £1. 3. 0 per Ton, which will reduce the expense of moving an Iron heavy 24 pounder from Quebec to Kingston which last war cost near £200, to the trifling expense of £3 or 4; this fact I trust will have great weight with you in favour of Steam boats.

I have the honour to be,
My dear Sir James,
Your most obt. Sert.,
JOHN BY,
Lt.-Colonel Rl Engrs,
Comg Rideau Canal.

No. 14.—LT. COLONEL BY TO COMMODORE BARRIE.

(*Canadian Archives, Series C., vol.* 45, *p.* 10.)

MONTREAL 2nd January 1828

Dear Sir

I have just received the enclosed remarks on the Rideau Canal which are written by some person perfectly ignorant of the immense supply of water from the Rideau and other Lakes connected with that work, and who is evidently endeavouring to mislead the public by falsety, stating that the water Communication from Kingston to the Ottawa can be completed with Locks of 108 feet long by 20 wide with 10 feet water for £169,000, whereas the fact is, that with only five feet water it cannot be effected for less than £474,899, and that £50,000 in addition to that sum is all that would be required to render it complete for steam boat navigation and as the down trade of Canada is carried on in Scows and Rafts of too large a size for the small Lock, and as these Scows and Rafts would pass the rapids in the Ottawa with as much ease as those in the St. Lawrence, there is no reason for enlarging the Grenville or Lachine Canals, except for military operations but the large lock on the Rideau

appears indispensably necessary for the trade of the country in time of war, and I have no doubt when once established the other Canals will be altered to the same size, as they require repair, the folly of calling the Rideau Canal *a mere ditch* is equally absurd, for whether the locks are constructed 20 or 50 feet wide the magnificent Lakes and Rivers which they are to Connect will remain the same and forceably appeal to the common sense of every one which will condemn the man who by false statements is endeavoring to lead the Country into error. I am obliged to treat all such falsehoods with the contempt they deserve, or I should be perpetually writing, but I fear they may have a tendency to mislead, and therefore regret the publishing of such papers.

Believe me
Dear Sir
Very faithfully yours
JOHN BY

No.15.—LT. COLONEL BY TO GENERAL MANN.

(*Canadian Archives, Series C., Vol. 45, p. 22.*)

RIDEAU CANAL OFFICE, 23rd January, 1828.

SIR,—I have the honor to report for the information of His Lordship the Master General and Right Hon. and Hon. Board, that I inspected the various works of the Rideau Canal accompanied by Capt. Savage and Capt. Victor Royl Engineers, between the 7th and 17th Instant, and have the satisfaction to state we found the arrangements making by the different contractors for opening the various works in the spring, proceeding with a rapidity far exceeding our most sanguine expectations.

Commodore Barrie has informed me he has sent my letter to him of the 10th of December to His Royal Highness the Lord High Admiral, and that he had strongly recommended the large Lock; from the conversation I have had with the Commodore, it did not appear that he thought 7 feet depth of water absolutely necessary, as he stated that by bringing vessels on an even keel, he could take those requiring 7 feet water through a 5 feet deep Lock; but the Lock of 50 feet wide and 150 feet long appears to him absolutely necessary.

The Commodore having forwarded my letter to His Royl. Highness, I take the liberty of enclosing a copy of it and also a copy of my letter to Sir James C. Smyth of the same date and a copy of my letter to the Commodore of the 2nd January relative to some remarks against the large Locks signed X. Y. Z., and sold at Egertons the Military book sellers; and I beg most respectfully to assure you I have no other motive in thus strongly recommending the large Lock, but the good of my country, and am proceeding agreeably to my instructions with the small Locks; but as yet there is time to enlarge the Locks without incurring much loss of work or material, and, therefore, I still hope to receive orders to that effect.

Section 23 & 22.—At the 23rd and 22nd Sections, Kingston Mills Mr. R. Drummond has contracted to build four Locks of 9 feet lift each, a Dam 18 feet high and to make the necessary excavations and embankments, and to clear the extensive swamps in their section.

The clearing and excavation for the Locks, and the clearing of the Swamps are proceeding with rapidity; he has a quantity of stone quarried and 20 stone cutters at work preparing for the Locks; he has also a large quantity of stone collected to build the Dam, the moment the spring floods will permit, and is making preparations to commence the Coffer Dam for the outer Lock.

Section 21 & 20.—Mr. Clowes has a Contract to form the Canal for 6 miles, consisting chiefly of excavations, to straighten the natural River, and to build a Lock of 10 feet 7 inc. lift, and a Dam, 10 feet high at Brewers Lower Mill; These works are proceeding rapidly and will be completed in September, 1829.

Section 19.—Brewers Upper Mills, two Locks of 9 feet lift each, and Dam 10 feet high, these works are advertized, and tenders are to be opened at the Comy. Generals Office Montreal on 1st February.

Section 18.—Crainberry Marsh, about 8 miles of this Marsh require to be cleared and I have a large party of Axe men and several Yoke of Oxen employed under the direction of Mr. Brewer with whom I form small contracts as the work proceeds, and have upwards of three Miles already completed, and hope by the end of March to have a free water communication from one end of this Marsh to the other.

Section 17.—Jones Falls. Six Locks 10 feet 2 in. lift each, Dam 48 feet high. Contracted for by Messrs. Mackay & Redpath, whose arrangements for opening these works in the spring are very good; they have buildings to contain two hundred men, Smiths shops and every other requisite; they have also opened two excellent stone quarries and have cleared the land where the Locks and Dam are to be built, and have 40 stone cutters at work.

Section 16.—Danis Mills, Mr. McLever has a contract to build a Lock of 9 feet lift and a Dam of 15 feet high; he has cleared the land and quarried some good stone.

Section 15.—Chaffeys Mills, two Locks and a Dam. Advertized and tenders to be opened at the Comy. Generals Office Montreal on the 1st February.

Section 14.—Isthmuses between Clear Lake and Indian Lake, also between Mud Lake and Rideau Lake. Contracted for by Mr. Hartwell, he has cleared the land and commenced the excavation, but he does not appear to have sufficient energy to carry on so extensive a Work; I have therefore told him, if I am not better pleased with his exertions on my next visit I shall be obliged to break his Contract, and advertize the work afresh.

Section 13.—Upper Narrows Rideau Lake advertized and tenders to be opened 1st February at the Comy. Generals Office Montreal.

Section 12.—Olivers Ferry, Rideau Lake, advertized and Tenders to be opened 1st February at the Comy. Generals Office Montreal.

Section 11.—First Rapids Locks 7 feet lift and Dam 8 feet high, with considerable embankments, advertized and tenders to be opened 1st February at the Comy. General Office Montreal.

Section 10.—Smiths Falls, 3 Locks 11 feet 2 in. lift each, Dam 23 feet high, with considerable side walls; contracted for by Messrs. Rykarts & Co; these works are proceeding rapidly, they have cleared the land, quarried a large quantity of good stone, and have the Dam more than two thirds built, the side walls to retain the water to its level are in a forward state.

Section 9.—Old Snie. Two Locks of 8 and 9 feet lifts, Dam 19 feet high, with considerable embankments. Advertized and tenders to be opened on 1st February at the Comy. Generals Office Montreal.

Section 8.—Phillips Bay. Lock 6 feet lift, Dam 8 feet high. Advertized and tenders to be opened 1st February at the Comy. Generals Office Montreal.

Section 7.—Edmunds Rapid. Lock 6 feet lift, Dam 8 feet high. Advertized and tenders to be opened 1st February at the Comy. Generals Office Montreal.

Section 6.—Maitlands Rapids. Lock 4 feet 6 in. lift Dam 8 feet high at Maitlands Ferry contracted for by Mr. Thomson, the excavations for the Lock are proceeding rapidly, and a quantity of good stone is already cut for the Lock.

Section 5.—Merricks Rapids; 3 Locks of 8 feet 4 Inch lift each. Dam 8 feet high at the head of the rapid; a considerable quantity of side walling, and clearing in Merricks Snie. Advertized and tenders to be opened on the 1st February at the Comy. Generals Office Montreal.

Section 4.—Clowes Quarry. Dam 16 feet high Lock 10 feet lift, with some embankments and excavations. Contracted for by Mr. James Clowes who has cut a large quantity of good stone for the Locks, and commenced the Dam, but in so unworkmanlike a manner, that I broke his contract on the 13th Instant, Capt. Savage, Capt. Victor and myself being of opinion he had not ability to conduct such

a work. I have sent Lts. Frome and Dennison to measure his work, with the intent of closing his account, and advertizing the work of this section immediately,

Section 3.—Nicholsons Rapids Lock of 11 feet lift Dam 16 feet high with some excavations and embankments; Advertized and Tenders to be opened 1st February at the Comy. General's Office Montreal.

Section 2.—Burrets Rapids or the Oxford Snie. Clearing out the Snie; a Lock of 11 feet lift and a Dam across the Rideau River 8 feet high, near the Mouth of the Snie. Contracted for by Messrs. P Wright and Sons. The Clearing is proceeding rapidly.

Section 1.—Long Island still water; Deepening Shoals and removing Boulders contracted for by Messrs. White and Phillips.

Section 1.—Long Island Rapids. Three Locks of 9 feet lift each, and a Dam across the Rideau River 27 feet high and embankments. Contracted for by Messrs. White and Phillips; these works are being well constructed and are proceeding rapidly.

Section 1.—Black Rapids. One Lock 10 feet lift and a Dam 10 feet high across the Rideau River. Contracted for by Messrs. White and Phillips; these works are being well constructed; the excavation for the Lock nearly completed, a quantity of good stones are well cut for the Lock, and the Dam is in a very forward state.

Section 1.—From Black Rapids to the Hogs Back a distance of four miles only requires a few boulders to be moved out of the channel of the river; this work is not yet advertized.

Section 1.—Hogs Back Rapids. three Locks of 10 feet lift each and a Dam of 45 feet high, across the Rideau River, Contracted for by Mr. Fenlon, the Dam is about 36 feet high in most parts, and I hope will be completed to that height before the spring floods commence, the quarries at this place are good, and the work is proceeding rapidly. The excavations for the Canal between the Hogs Back and Dows great swamp are also contracted for by Mr. Fenlon and are proceeding well.

Section 1. Dows Great Swamp. Contracted for by Messrs. Philemon Wright and Sons; this work is a mound of earth across the swamp, and it is proceeding rapidly.

Section 1.—Clearing grubbing, excavating and forming the Canal from Dows great swamp to the 1st 8 Locks, contracted for by Mr. Fenlon, this work is proceeding rapidy.

Section 1.—Stone Bridge across the Canal building by the Royal Sappers & Miners; one abutment complete. Stones for the arch quarried and nearly all cut.

Section 1.—First eight locks of ten feet lift each contracted for by Messrs. McKay and Redpath. All the stone is quarried, and the greater part required for the Locks are cut, three of the Locks are commenced.

Section 1.—Excavating the first 8 Locks and forming a basin between the 4th & 5th Locks, contracted for by Mr. Pennefeather, this work is nearly completed, but the Frost occasions the sand and Clay to cave in, which will require to be removed.

I propose employing the two Companies of Royal Sappers & Miners, in constructing Lock Gates, Sluices, Waste Weirs, &c. &c. And as this will give them ample employment on the spot, and to their Officers in the first 20 miles, I shall keep the men in the Barracks on the Ottawa at the entrance of the Canal, which will save the expense of putting them under canvass, and in every respect appears the best arrangement that can be made. My unattached Officers I shall distribute on the 1st of May between Kingston and the Summit Level; and should I be so fortunate as to receive the assistance of two other Companies of Royal Sappers & Miners, I propose placing them on the 4th Section, that part of the Canal being equally as healthy as the 1st Section and as difficult to desert from; and there they might assist the 3rd and 5th Sections.

Captain Savage commg. the 7th and Captain Victor comg. the 15th Company of Royal Sappers & Miners, finding their two Companies are not likely to be divided during the Rideau Service, request me to solicit the Right Honble.

and Honble. Board, will approve of the usual pay of 3s. per day being allowed to an officer to do the duty of Adjutant and quarter-master to the said two Companies, and I shall feel greatly obliged by your recommending the same.

I herewith enclose an Abstract of my disbursements up to the 23d Instant, which will be more fully detailed in my progress report of the 1st of May next.

From the number of persons applying for information relative to the Rideau Works, I have every reason to expect that the whole of the works advertised will be in progress by the 1st of May next, and I have therefore appointed Mr. Joseph Charles from the 1st of February next, to the situation of Overseer of Works, in the room of Mr. Burnett deceased until the Honble. Board's pleasure is known and beg to state that from the enquiries I have made, Mr. Charles appears in every respect fit for the situation, the enelosed statement of his I have found to be perfectly correct, and hope the Honble. Board will confirm the appointment, and authorize his receiving 7s. 6d. sterling per day and a ration.

I have the Honor to be,
Sir, Your most obedient,
Humble Servant,
JOHN BY,
Lt.-Colonel Royl. Engrs.,
Comg. Rideau Canal.

No. 16.—RT. HON. WILLIAM HUSKISSON TO LORD DALHOUSIE.

(*Canadian Archives, Series C, Vol.* 45, *p.* 1.)

DOWNING STREET, 2nd January, 1828.

MY LORD,

The Estimates, which have lately been received from Lt. Colonel By, of the Works now in progress upon the Rideau Canal exhibit such an alarming increase upon those which have been laid before Parliament, that it becomes necessary to subject the proceedings there to the strictest examination. For this purpose a Committee of Officers is at this moment sitting to investigate the various documents, plans, and Estimates, with which they have been furnished, and upon the receipt of their Report, a Commission will be sent out to examine into all the details upon the Spot.—In the Meantime orders have been issued to Lt. Colonel By to suspend all such operations as are not absolutely necessary to be carried into immediate execution, in doing which your Lordship may possibly have it in your power Materially to assist him, by prevailing upon Individuals to suspend Contracts into which they may have entered with that Officer, but which are not yet sanctioned by His Majesty's Government. You will have the goodness to give him every assistance in your power in effecting this object, and, generally, in the execution of the orders which he will receive by this Mail. Your Lordship will also, of course, afford to the Commissioners of Enquiry every facility in the Investigation with which they are charged. I now write in haste that the Mail may not be longer delayed, but previous to the departure of the Commissioners, I shall take care to furnish you more fully with such Instructions as may be necessary. A Copy of this letter has been forwarded to Sir Peregrine Maitland by the present opportunity.

I have the Honor to be,
My Lord,
Your Lordship's obedient
Humble Servant
W. HUSKISSON.

No. 17.—COMMITTEE ON CANALS TO GENERAL MANN.

(Canadian Archives, Series C. Vol. 45, p. 105).

84 Pall Mall. 22nd January 1828.

Sir,—In obedience to your orders of the 4 Instant, we have carefully examined the Plans, and Estimates for the Construction of the Rideau Canal in Upper Canada, together with the several Documents on the subject which have been laid before us, and having also obtained such other information within our reach as we deemed expedient, we now respectfully submit our Report commencing with the first head of our Instructions, by which we are required, "To give our opinion upon the "Plan proposed by Lt. Colonel By, of effecting the water communication from the "Ottawa to Kingston, in all its details, especially as to the practicability, economy, "and safety of the Dams, which the Lieut. Colonel proposes throwing across the "River, and thus rendering the Small Falls into still Water."

The General tracing of the Water Communication between the Ottawa River, and Kingston, adopted by Lt. Col. By, is that which appears to have been contemplated by the Commission of Engineers, of which a Survey, and Estimate had been prepared by Mr. Clowes, (a Civil Engineer) for the Legislature of Upper Canada; the only material variation in the two Lines, appears to be near the entrance in the Ottawa, which Lt. Colonel By proposes to form above the mouth of the Rideau River, whilst the Civil Engineer proposed the Entrance below:—

The reasons Lt. Col. By has given to prefering the entrance above, appear to us well founded, as the small Bay in which he has placed the entrance is better sheltered than it would be below, the ascent from the Ottawa to the Rideau is easier, being partly thro' a Ravine, and the distance is somewhat shorter. There is also a difference in the direction of the two lines between Burrets Rapids, and Merricks Mills, where Mr. Clowes has proposed to carry his Canal thro' 6½ miles of Cultivated Land, whilst Lt. Col. By carries his Canal on the opposite Bank of the River, for 1½ mile, where the land is waste; for the remainder of the distance, he proposes raising the water in the River by Dams, by which means he will avoid the purchase of much valuable Land (but which is not estimated by Mr. Clowes) and very considerable cutting in Rock, and We therefore think that Lt. Col. By's Line here is the preferable,—and also being by comparison of the two Estimates, the most economical. These observations are all that seem to us necessary to be made in this Place, on the proposed trace of Lt. Col. By's Line of Communication.

With regard to the Dams proposed by Lt.-Colonel By for raising the Water in the Rapids, to render the Rideau Navigable, we would observe that this is by no means a novel expedient, having been much practised both in the Old, and New Hemispheres, under the more usual denomination of Waste Weirs; the principle, and use however is the same, but we have not learnt that any have been constructed so high as Lt.-Colonel By has proposed at the Hogs Back, and at Jones's Falls, those being 45 feet, and 48 feet respectively. The Americans have one of 28 feet in height on the Upper part of the Hudson, above Albany, where the river is from 250 to 300 yards wide, which is about twice the width of the Rideau where Lt.-Colonel By's first Dam is proposed; Mr. Clowes, who in his Project has availed himself of the use of Waste Weirs or Dams to raise the Water on the Rapids; tho' he has not carried this expedient to the same extent as Lt.-Col. By, the former having only 10 Dams across the Rivers, varying from 3 to 7 feet in height, whilst Lt.-Colonel By has 20 of different heights from 8 feet to 48. As a general Principle there does not appear to us to be any objection to the use of high Dams, which is not also applicable to low, both obstructing the Navigation of the River (and there are already existing several mill Dams on the Rideau) but the failure of a High Dam would occasion so much expense in its repair, and so long an interuption to the Navigation that we think they should only be used where local circumstances render it absolutely necessary, more especially as two low Dams, may in most cases be made to produce the effect of one high one, and would be cheaper in the construction.

Of the two highest Dams Lt.-Colonel By has proposed, one is across the Rideau at the Hogs Back which is 45 feet high and 400 feet in length, the second at Jones's Falls on the Cataraqui which is 48 feet in height, and 140 feet in Length; the Sites are near Quarries from which the Stone to be used in their Construction may be easily conveyed,—the banks of the River are favourable, and their construction enables him to place the necessary Locks together, instead of in two or more divisions, which would lead to additional expense in the number of Lock keepers, Quarters, &c. As everything depends on these high Dams being so constructed as to resist the great pressure of water to which they would be subjected, we have attentively considered the two sections which Lt.-Col. By has proposed for these two Dams, which differ considerably in their proportions, and we decidedly prefer the second design, which we recommend to be adopted also (with the requisite modification for the difference in height) at the Hogs Back.

We learn from Lieut. Pooley that the Dam at the Hog's Back was begun before he left the Country, and would probably be raised to the height of 10 or 12 feet before the winter set in, which will afford grounds for forming an opinion as to the ultimate success—should any doubt arise we would recommend that the Dam should be finished only to half the proposed height, and a second Dam formed where necessary in advance, or recourse had to cutting. This, of course, would occasion an alteration in the disposition of the Locks, as it would be necessary to advance a corresponding portion of them, and in case of the Hog's Back, a Little additional expense in forming fresh excavations, for the Locks to be so advanced; and here we would also recommend that the upper portion of Locks at this point should not be commenced until the Dam was carried to the intended height (whatever that may ultimately be), and no reason seen to doubt its durability.

We are of opinion that means will be obtained to float Timber over the Dams without injury, and we are informed that the right to all the Rivers in Upper Canada is specially reserved to the Crown with a way or communication on both banks; should this opinion and information prove correct, no well grounded cause of complaint against the Dams would exist.

With regard to the expense of the Dams proposed by Lt.-Colonel By as compared with the cutting to be saved, he has not given the depth of cutting, nor more than a general description of the nature of the ground; neither has Mr. Clowes given any Sections of this Cutting in these Parts; but having well considered the information, and data we could obtain as to the comparative economy of each, we are induced to believe it will preponderate in favor of Dams. It would no doubt be satisfactory before proceeding with more than those Dams now in progress, to have a calculation of the expense of cutting, at each point where Dams are proposed in lieu thereof founded on Sections of the ground, and of boreings to ascertain its nature.

We now come to the Second Head of our Instructions.

"To give an opinion, and report upon the amount, and upon all the details of "expense of the Estimate transmitted by Lt. Colonel By, and whether any less "expensive mode of effecting the object in view can be devised."

For the above purpose we have very carefully examined and analyzed every part of Lt. Colonel By's Estimate that could be compared with the Surveys of the Ground, and the designs he has furnished for the various works, and there are some considerable differences in various Items between our Calculations, and Lieut. Colonel By's, sometimes in excess, and at others in diminution. We consider the Estimate on the whole to have been formed with much care and accuracy.

We have drawn out on paper A, which accompanies this Report, a List of those Items where we were enabled to enter into a comparison, and in which our calculations differ from the Estimate either in excess or diminution, by which it will be seen that our Calculation is on all these Items £7,607.1.11 less than Lt. Colonel By's, but as the principal discepancies are found in the cutting, and embankments where we frequently have not sufficiently numerous Sections to show all the Accidents of the ground, we would not recommend the difference to be deducted from the amount of the Estimate.

We have carefully examined the designs for the Locks on which Lt. Colonel By's Estimate is grounded, which seem in general to be judiciously, and carefully formed, but observing that the side Walls of the eleven Locks Contracted for, which are on an average 18 feet in height are proposed to be 6 feet 6 inches thick at top, and 8 feet at bottom, and altho' we are aware that these Walls will necessarily have to Support the pressure of the Earth whilst in a green state, and that allowance must also be made for the effect of severe frost on the masonry, still We are induced to be of opinion that a reduction of one foot in the Thickness of these Walls might safely be made, which would create a saving of $\frac{1}{8}$th of the masonry of these Locks. We have no sections of the remaining Locks to enable us to decide if their side Walls will admit of similar diminution of thickness, but we are led to think from the quantity of masonry in the different Items of the Estimate, that such will be found to be the case and we recommend this important point for consideration on the spot, with a Report, accompanied by the fullest documents necessary for its decision.

With regard to that part of Our Instructions wherein We are requested "To report whether any less expensive mode of effecting the object in view can be devised": We are unable to point out decidedly any reduction, except that which might arise from lessening the thickness of his side Walls, on which We hope that a saving to a considerable amount may be effected together with a saving of about £9,000, which we are of opinion might be made on the Items of the Estimate for cutting a straight Channel for the Cataroqui River through the Marsh above Kingston, as it appears that the Navigation here might be sufficiently improved for present purposes by cutting off some of the principal elbows of the River, altho' a little time will be lost in the longer Channel. And here it should be observed that we cannot suggest any alterations or consequent savings on Lt. Colonel By's projects excepting the two above mentioned; yet it appears in consequence of the judicious arrangements of Lt. Col. By, planning that his heaviest works as far as hitherto designed should be so placed as to have stone near at hand, that he has obtained contracts by Public competition for the first eleven Locks, and the other Constructions of Masonry at the entrance of the Canal not exceeding 1s. $1\frac{1}{2}$ per cubic foot, which is about $\frac{1}{5}$ less than the estimated Price.

Now altho' there may be some grounds for apprehending that as the Works advance into the unsettled and Little explored parts of the Line, the expense of procuring Provisions for the Workmen & transporting of Materials may occasion an increase of the Contract prices, yet we have reason to hope that by a continuance of the preparatory measures above described, these prices will be but little Augmented, and may in cases where Quarries are very favourably situated be even diminished.

We therefore think that altho' Lt. Colonel By may have been right in estimating the Masonry at his valuation of 1s. 5d. per cubic foot, the average of the Contract Prices may be expected not to acceed 1s. 2d., and a saving in the execution of $\frac{1}{6}$th of the Estimate for Masonry be expected under the Head of Price. The prices in Lt. Colonel By's Estimate for digging in the various kinds of Soil, and in Rock, and for clearing Grounds, Fences, Bridges, &c., appear to us on the whole to be moderate; that at £15 15s. per acre for grubbing (the total of which amounts to £3,038 18s. 6d.) appeared at first sight to be very high, but on considering the nature of the work; and the care with which it must be done, we were less surprised to learn that the lowest tender received by the Commissary General at Public competition for this Service amounted to the sum stated in the Estimate.

This seems to be the proper stage of our Report for offering some Remarks on the plan and Estimate of Mr. Clowes the Civil Engineer for this Navigation, and which we apprehend we are called upon to consider in the first Article of your Instructions.

No general Plan, or particular Plans of Locks or other Works are furnished by Mr. Clowes; nor any prices for his Masonry or Carpenters' Work, nor any Sections or borings to ascertain the nature of the Soil, and extent of his cuttings in Earth and Rock. A Gross sum or quantity is taken for each as they occur on this Line, but from what we have already shewn we do not think the Lockage can be executed in a more economical manner than that which we have suggested, and which will

be about as much as the total of Mr. Clowes Estimate for the whole Navigation, and which conclusion we are confirmed in by the much greater proportionate Expenditure on the La Chine Canal. With regard to the Estimate for Cutting 25 miles of Canal which he proposes to form, as we have no Sections or Borings of the Ground, we cannot speak decidedly, but there seems reason for concluding that the quantities and nature of the cuttings are greatly underrated. Mr. Clowes also has omitted in his Estimate to provide for many services absolutely necessary in the execution of his project, besides the total omission of any percentage for Contingencies which in Lt. Colonel By's Estimate amount at the usual rate of $\frac{1}{10}$ to £42,862 18s. 10d.

On the whole we are of the opinion that after allowing Mr. Clowes much credit for skill & industry, in exploring and making the best general Line for effecting this Water Communication under many difficulties occasioned by the State of the Country, and with probably little professional assistance, his Estimate for executing the necessary work is quite inadequate, and with his report are rather calculated to show the practicability of the measure than to give an accurate calculation of the expense of effecting it. This conclusion we think will appear well founded on a careful consideration of the numerous plans proposed with great labour and attention by Lt. Colonel By and his Officers, and which were all necessary before any satisfactory Design or Estimate for the Canal could have been made. The only item in Lt. Colonel By's Estimate of the necessity of which we are not yet sufficiently informed is the Construction of a Bridge at the expense of nearly £3,000, across the Ottawa in the vicinity of the Entrance, and principal Works on the Canal. The motive is stated to have been to induce the Contractors to undertake the Works on Lower Terms than they otherwise would have done, by opening an easy communication with the only settlement in that part of the Country from which their supplies of provisions and many articles of Materials could be obtained at less expense than otherwise would have been incurred; and it seems not unreasonable to conclude that the measure has had the effect of Lowering the Contract prices considerably, but a full Report in all its bearing on this subject seems required, embracing also the consideration of the means of making the Bridge repay part of its Expense by levying a Toll on all Passengers, and Materials excepting those employed on the Canal.

On the question whether a less expensive mode of effecting this Navigation can be devised we have already stated all the saving which we think can with safety be made in Lt. Colonel By's Plan, but a mode might be found of keeping down the present expense of the undertaking (tho' it certainly would not be ultimately economical) by executing those Locks of the Canal not yet begun, in Wood instead of Masonry. Eleven Locks in masonry are understood to be in progress, the remaining thirty-six might therefore be of wood. We cannot in this country calculate with much accuracy the expenses of this Construction, but see reason to believe from the best information we can procure of the prices of Timber and Workmanship in Canada that the expense would not exceed one-third that of Masonry. We are of opinion however, that nothing but weighty financial considerations would sanction the adoption of wooden Locks, which could only be considered a temporary Expedient.

On this question of the Locks of enlarged dimensions proposed by Lt. Colonel By, on which we are by the third head of Our Instructions desired to report, the Lieutenant Colonel has suggested the considerable advantage as regards both Commerce, and Military operations, which would accrue from enlarging the Locks of the Rideau Navigation from 20 to 50 feet, leaving the depth as at present 5 feet. This he says could be effected at an expense of £50,000, to which has to be added about £3,000, for widening the Locks already begun. We do not however see an immediate advantage likely to be derived from this partial measure, sufficient to justify the expense above stated; but should well grounded reasons exist for expecting that at a future period an extended Steam Navigation from Lake Ontario to Quebec, may not be beyond the financial means of the two Countries to execute, then we think this proposition of Lt. Colonel By's deserving of consideration, as we are of opinion that

a general Steam Communication would be attended with great Military advantages, and we Apprehend if the whole Line of the Rideau Caual should now be executed with 20 feet Locks in Masonry, this would in all probability preclude that enlargement hereafter which would render the large Steam Boats of the St. Lawrence available for Lake Ontaria, and the Ottawa,—And here We may observe that the expedient we suggested for effecting a present saving, by executing the remaining 20 feet Locks in Wood, would also have the advantage of Leaving open for future decision this important question of the enlarged Steam Navigation, as the Construction of 36 Locks in Wood could only be temporary, to be replaced hereafter by Locks in Stone, of whatever dimensions should then be found most eligible. The following Statement shows what we suppose would be the expense of the different constructions previously considered.

LT. COLONEL BY'S ESTIMATE FOR THE RIDEAU COMMUNICATION.

Locks in stone.....	474, 844, 1, 2½.
Do Modified by this Committee, and the Cost of the masonry reduced to the Price already contracted for.....	407, 531, 4, 3¾.
Do If the remaining 36 Locks be executed in Wood.....	330, 118, 7, 2¾.

In obedience to the last Article of Our Instructions. "To report whether Lt. "Colonel By has not lost sight entirely of the plan, and Estimate for the work, hav- "ing the same object in view which the Late Master General, and Board contemplated "when they ordered Lt. Col. By to execute the Service, viz.: the Plan and Estimate "framed by a Civil Engineer in the Country, and in addition of £24,000 sterling by "the Committee of Engineers of which Sir James Smyth was President, being to "provide £500 in addition for each Lock in order to make them of the same size "with those of LaChine Canal, but that he has not distinctly reported that he has "done so, much less accounted for his doing so excepting verbally thro' Lieutenant "Pooley, and whether Lt.-Colonel By was not repeatedly referred to those Plans, and "Estimates, and positively ordered to adhere to them."

We have to state that L.-Colonel By appears to have adhered generally to the Line of Country pointed out in his Instructions, but has deviated from the tracing intended by the Civil Engineer's Estimate, to which he was referred, in the places already mentioned, in all which the Lieut.-Colonel appears to have been guided by a desire to effect the object in the most judicious, and beneficial manner. We also find that he has strictly followed the dimensions of the Canal, and Locks which were proposed by the Commission of Engineers, & ordered by the Master General to be executed. With repect to the Estimate framed by the Civil Engineer, and augmented by the Sum of £24,000 by the Commission of Engineers, we are of opinion that Lt.-Colonel By did not lose Sight of it, as he reported on the 6 Decr 1826 "that he had great "doubts whether the work could be performed for £169,000, but that he could not "venture to give a decided opinion on the subject until he had well examined the "whole line." We have already offered our opinion on the inadequacy of that amount, and it does not appear to us that detailed Estimates founded on accurate measurements, and levels could be prepared, and transmitted until the second Summer.

The Documents referred for our Consideration are returned with this Report.

We have, &c. &c.

ALEX. BRYCE, *M. Genl. Pres.*
JOHN T. JONES, *Colonel.*
EDWD. FANSHAW, *Lt. Col. Royal Engrs.*

There is one subject in this report in which, from Local Knowledge, I cannot agree with the other Members of the Committee, and that is relative to the adoption of wooden Locks, upon the 36 remaining Locks of the Rideau Canal upon the principle of leaving open the question of whether the Locks are to be enlarged, or to continue at 20 feet in breadth for future discussion. The augmentation of the Rideau

Locks without the whole Series of Canals and Locks from Montreal to the Rideau were similarly enlarged, would afford no military advantage whatever, and the idea of making an uninterupted Steam Navigation from the St. Lawrence by either the North or South sides of Montreal Island, the Ottawa, and the Rideau, appears to me too gigantic, and expensive an undertaking ever seriously to be thought of. I would certainly prefer going on upon our present Plan, with Locks of masonry of the present dimensions, at whatever rate of yearly expenditure it may be convenient to His Majesty's Government to allow, having recourse only to the wooden Locks in the event of the probability of Hostilities, rendering the early completion of the work necessary.

J. CARMICHAEL SMYTH,
M. General.

January 22 1828.

No.18.—COMMITTEE ON CANALS TO COLONEL BY.

(*Canadian Archives, Series C, Vol.* 45, *p.* 215.)

KINGSTON 28th June 1828.

The Committee appointed to assemble in Canada respecting the Rideau Canal, having gone through the Line of Navigation, and having examined the Nature and Construction of the works proposed by you, the extent of the Contracts entered into, the mode adopted for the prosecution of the work, and certain Individuals having preferred claims, which, if just, it is desirable should be liquidated as soon as possible; desire to call your attention and request your compliance with the following observation:—

The account of Monies expended upon the Rideau Canal up to the 23rd January, 1828, transmitted to England by you, states the amount at £61,236 0s. 6¾d. The Committee are instructed to authorize you to lay out upon the work in the year 1828 the sum of £105,000 0. 0. under the following restriction, and we beg to caution you in the clearest manner against undertaking any further works until those already in progress are sufficiently advanced to enable you to appropriate Funds for other parts.

You will be pleased to understand that in the first place you are to deduct from the £105,000 your expenditure from the 23rd of January up to the present period. Secondly We have to request you will on the 30th of this month direct the discharge of every just claim on the Department, according to the terms of Contract, and upon the most careful measurements and examinations of the Certifying Officer. The Balance remaining out of the £105,000, after the Payments above described, will be the sum you are authorised to expend in the following manner during the year 1828:—

The Navigation is to be carried on between the Ottawa & Kingston, upon a continuous depth of water of 5 feet at the lowest seasons, calculating the Kingston waters at present as 4 ft. above the lowest level.

The locks are to be capable of containing a steam boat 30 feet wide over the paddle Boxes, and 108 ft. long, clear of opening the Gates.

The Committee cannot upon so extensive a line authorise any deviation from the Original mode of placing the Sluices, or in the position of the Gates. But we concur with you in reducing the thickness of Masonry of the side walls shown in your Section of 1st December, 1827.

With respect to the construction of the Dams, the Committee recommend the greatest attention to the Abutments, and that the upper surface be formed of Joggled Masonry, as shown in the Section for Jones' Fall Dam; sent to England by you and approved by the Committee which assembled in London.

The Committee Concur in the advantages of the alterations proposed by you as regards the arrangements of the Locks between Dow's Great swamp and the Hog's back ; The inundation of the Swamp itself, and the concentration of four Locks at Kingston Mills to obtain an uninterrupted Navigation up to Brewer's Lower Mills, provided the existing Contracts are of a nature to authorise such a deviation from the Original plan.

You are requested to favor the Committee as soon as possible with the Total Amount required for the Rideau Navigation upon the above Scale and Construction.

The Committee are aware That in an undertaking of the nature of the Rideau Navigation, through an uncleared Country, it has not been possible, with the means at your convenience, and the expedition which has been used to practise that degree of regularity and vigilant superintendence by executive Professional Officers, which is indispensible and can alone in its further progress ensure a proper economy of the Public Money, consistent with the effectiveness and durability of the Work; but they beg particularly to impress upon you their Opinion that the Military Officers, and the Professional Civilians of the Department under your orders should be immediately dislocated (distributed?) throughout the Works in Progress in such a manner as to insure for every part of the Line at least a Daily inspection with such more constant Superintendence as will secure the most substantial and creditable execution of the very important Work which has been entrusted to your charge and that each Officer should keep a full and complete Diary of the Progress, reporting in Abstract to you weekly.

The Committee cannot sufficiently recommend the most careful Scrutiny and examination of the Executive Officers, under your Authority, of all claims by Contractors or Others, employed by Government with a desire to do strict justice, and to satisfy Individuals that such feeling is consistent with your wishes, & the due progress of the Work.

The Committee are of opinion that especially in a Work of such a Magnitude where Officers are liable to removal, and many Individuals concerned, all Cheques of time, and all measurements of Work and Material should be entered in a book kept as a public Record, signed by the Certifying Officers whenever measurements are made, and assented to at least weekly by the signature of the Claimant or the Person acting for him. An Abstract from this Book transmitted quarterly to By Town will enable you to order Corresponding Payments agreeably to the Terms of Contract.

We have to call your attention to the expediency of Constructing the Lock Masters Houses in such a manner and such situations that they may become defensible Guard houses, and a protection to the Locks and Dams at the several Stations, and that you should also submit to the proper authorities the preservations or purchase of such Land at each Station as appears best adapted for military Works.

The Committee have already recommended an accurate survey of the Ground about By Town, and we request you to annex to it the valuation of whatever additional Land, beyond the present reserve, will be Required for a Depot for 5,000 Men.

We have the honor to be,

Sir,

Your most obedt. humble Servant,

JAMES KEMPT, *Lt. Genl.*
EDW. FANSHAW, *Lt. Col. Rl. Engrs.*
G. G. LEWIS, *Lt. Col. Rl .Engrs.*

NOTE E.

RELATIONS WITH THE UNITED STATES AFTER THE PEACE OF 1783.

No. 1.—NEPEAN TO DORCHESTER.

(*Canadian Archives Series, Q.* 27—1, *page* 38.)

WHITEHALL 31st March 1787.

Secret.

MY LORD,—The gentleman whose name I shall mention in the next private letter, I may have occasion to write to your Lordship, has been engaged, and is to be paid an annual Salary in consideration of his services, of £200.

Your Lordship will see by the inclosed paper of occurrences (which is the mode he practices of conveying his intelligence) what has passed to the 6th of last month, and that he has an intention of paying you a visit in order to settle his Plan of Communication. He was employed during the war and rendered services, exposing himself to considerable Risque, and I am, inclined to think will make himself useful. I have very little personal knowledge of him, but from what I have seen he appears to be a cool, temperate man.

I have the honour to be, &c., &c.,

EVAN NEPEAN.

No. 2.—LORD DORCHESTER TO LORD SYDNEY.

(*Canadian Archives Series Q.* 27—1 *page* 95.)

QUEBEC 10th April 1787.

No. 15.

MY LORD,—Certain Communications of a very interesting nature have been made to me, which I am inclined to think may not all readily find their way into a more direct channel; I therefore enclose them to your Lordship; and shall only observe that nothing therein contained occasions the least change in my opinion concerning the Upper Posts mentioned in my letter No. 10.

* * * * * * * * * *

I am with much respect & esteem, Your Lordship's
most obedient, and most humble servant.

DORCHERTER.

A.

At the commencement of the late war, it is well known that there were numbers of persons in the States, who opposed Great Britain in certain points, who had no views of a separation, and who were drawn on step by step into the measure of Independence; and many others much against their inclination, and without the power of looking back.

At this moment there is not a gentleman in the States from New Hampshire to Georgia, who does not view the present Government with contempt, who is not convinced of its inefficacy, and who is not desirous of changing it for a monarchy.

They are divided into three classes.

The first class proposes a federal Government somewhat resembling the Constitution of the State of New York, with an annual Executive, Senate, and House of Assembly.

The second wish to have a sovereign for life with two triennial Houses of Parliament.

The third are desirous of establishing an Hereditary Monarchy with a form of Government as nearly resembling Great Britain as possible.

Of the first class many look up to General Washington; those of the second and third classes cast their eyes to the House of Hanover for a Sovereign, they wish for one of the King's Sons.

The third class is the most powerful, and composed of some of the ablest men in the States.

They esteem the plan of the first class every way inadequate, that of the second in favour of an Elective Monarchy, very objectionable, witness the condition of Poland, but view their own system if successful as affording the fairest prospect of a respectable and stable Government. They have already fixed upon two gentlemen to go to Great Britain upon this subject, when they judge that matters are ripe for it.

As to the Convention to be held at Philadelphia in May next, however able individually considered, it is impracticable for them to adopt any measures capable of giving vigour to the present federal Government, which will be approved first in Congress, and afterwards in the different legislatures.

In fact the Gentlemen composing the third class expect nothing from the Convention in their public capacity, but wish to profit from such a meeting, to know fully each others opinions, to form arrangements and to take such steps as are proper to give them effect.

The present federal Government is weakness itself, it must fall to pieces in the course of next winter, and is held together now merely by the prospect of the conventions being able to do something effectual.

The present public distresses are unsurmountable.

Foreign Powers are pressing for their money.

France turning her claims over to Holland.

The French Interest sunk to nothing.

Mr. Jay the Minister for Foreign Affairs has reported fully to Congress, that not only the facts stated in the Memorial transmitted by Lord Carmarthen are true, but that there are many others of a similar nature not then known in Great Britain; Congress are fully sensible of these infractions, but find themselves so feeble in every respect, that they do not chuse to venture any public recommendation to the States on this Subject. They will remain in New York.

The Gentlemon of the third class do not wish Vermont to confederate at present, although no strangers to the part she has acted. They wish Great Britain to retain the Forts at this time and to be strong in Canada. They do not desire any Commercial Treaty to be formed at present, but think a few particular indulgencies might be well.

There is no living under the present Government.

They are resolved to run all risks in carrying their points.

Even the Presbyterian Clergy are become Advocates for Monarchy, the community in general finding from experience, that a Republican System however beautiful in theory, is not calculated for an extensive country.

General Washington has been lately sounded upon the subject, but nothing will induce him to return into public life; conscious that he has acquired great military glory, perfectly satisfied with his condition, without children, and having no relations, who are men of Ambition or active Talents, this Gentleman is determined to pass the remainder of his life in retirement and peace.

Notwithstanding this opinion concerning General Washington, there is another which suggests that this Gentleman looks forward to the supreme power, and that he will not be present at the convention from motives of policy, and that Doctor

Griffiths, of Virginia, who is soon going to England, in hopes of being consecrated a Bishop, had been employed by him to sound the county on this very subject.

From other sources of information it is understood that men of ability in the States are in general strongly impressed with the necessity of establishing a Monarchy; they find their present Government neither efficient nor respectable; they are greatly divided in opinion upon this subject, whether they shall raise an American to this dignity, or procure a Sovereign from Great Britain or from France.

General Washington has a party of friends, he will not be present at the Convention in May; but a strong idea prevails, that he looks forward to this dignity, has done so for years, and that to this object he sacrificed the interests of the late Continental Army.

It is imagined that the Convention will form the outline of some general plan, which they will submit to Congress for their Approbation, and that of the States and then adjourn.

Some gentlemen are so convinced of the necessity of having an Upper House as well as a Sovereign, that they intend the proposing to raise all the Members, who formed the Congress of one thousand seven hundred and seventy-five to this dignity, and even to make it hereditary.

The general triennial meeting of the Cincinnati and a meeting of the American Episcopal Clergy will be held at Philadelphia at the same time with the Convention; the Congress remaining at New York.

Doctor Griffiths, from Virginia, passed some time at New York this winter; he is esteemed an able man and returned home very lately; this gentleman who is looked upon as a friend of General Washington, mixed much with men in office, as well as with many respectable individuals in different parts of the country, he is expected to sail soon for England, being recommended as a proper person to be consecrated a Bishop.

No. 3.—TO LORD DORCHESTER.

(*Canadian Archives, Series Q.* 36—2 *p.* 434.)

DETROIT, May (say June) the 4th, 1788.

MY LORD,—The gentleman I sent to Fort Pitt is just returned from thence, and I have it now in my power to inform Your Lordship that I have a prospect of opening a friendly intercourse with the Inhabitants of the Ohio.

The Depredations lately committed upon that River by the Indians is for the present prejudicial to that open and unsuspecting communication I could wish to establish; and the new Constitntion occupying the atttention of the great body of the people from the foot of the Laurel Hill to the western extremity of Pennsylvania at this moment prevents the agitation of any matter respecting the Mississippi. Large numbers of people continue constantly to emigrate to the Kentuckė as wishing apparently to separate themselves from the new proposed federal government; and from what I can learn, it seems that their evident interest corresponding with their inclinations, leads them to wish for Independency, and a free passage into the Ocean by the natural channel of the Mississippi. I have wrote to several gentlemen of interest at the falls of the Ohio and Kentuckė, but as the Indians make frequent incursions into that Country it has heretofore prevented me from obtaining the satisfactory answers I had otherwise a right to expect.

Congress having ceded to Connecticut one hundred and twenty miles west from the western limits of Pennsylvania, as the proportion due that state from the ceded Country, north-west of the Ohio, a number of gentlemen from that Government are now at Pittsburg on the actual design of forming a colony within the prescribed limits upon the River Muskingum, and the necessary preparations are making at Redstone for the conveyance of the numerous adventurers down the Ohio, at the head

of which is a son of General Putnam. There is a General Parsons concerned in the same enterprise, from whom I have received advances, that I imagine may prove favourable towards a harmonious understanding in point of Commercial interest between Great Britain and these rising settlements. In fact the joint advantage of all parties who mean to be resident upon the Ohio, and to enhance the value of their landed property must induce them to insist upon a free entrance into the Bay of Mexico, and to solicit our trade. I have the strongest invitations to go to Fort Pitt from the first authorities there, and in its vicinity, and from [information which] has been communicated to me verbally from many thro' the gentleman just returned, I might do much by a short visit.

Great preparation is making there for the intended Treaty, and much expected from the compliance of the Indians. Mr. McKee is now at the Miamis River, and seems to possess an entire influence over the minds of the Western Tribes. I shall join him in a few days. I should be happy to know your Lordship's pleasure with respect to my visiting Pittsburg and even Kentucké, in order to draw propositions from men of character and interest for Your Lordship's consideration, and I will beg leave to observe, that if I was enabled to influence the press at the former place, and engage a proper person there to write upon the utility of measures in view, it would greatly tend to accelerate so desirable an event. Though I shall make it my study to exercise the utmost economy in case your Lordship should judge it expedient for me to appear there under the pretext of private business, yet as the expences attending it must be more than I can afford, I hope your Lordship will see the necessity of some pecuniary aid, the quantum I submit entirely to your Lordship.

I inclose two Letters from Pittsburg, the one from the late Auditor General of the middle department, and the other from General Nevil, one of the Executive Council of Pensylvania, from whence your Lordship will discover the footing upon which I placed my first advances. As I am in expectation of an answer to my former dispatches respecting the occupation of the meditated posts by the Americans, it will be unnecessary to comment upon the consequences here.

Your Lordship's resolution with regard to my going to Pittsburg, and any further measures intended from the proposed visit will be acceptable to me.

I shall in all events make it my constant study to be serviceable and worthy the notice and patronage of Your Lordship.

NO. 4.—DORCHESTER TO LORD SYDNEY.

(*Canadian Archives, Series Q.* 38, *page* 145.)

QUEBEC 14th October 1788.

MY LORD,—I enclose certain communications lately received; they are in continuation of the paper marked A inclosed in my letter No. 15 of the 10th April 1787.

I am, with much respect and esteem,
Your Lordship's
Most obedient and
Most humble Servant,
DORCHESTER.

No. 5.—OPINIONS AND OBSERVATIONS OF DIFFERENT PERSONS RESPECTING THE UNITED STATES.

(*Canadian Archives, Series Q.* 38 *page*, 146.)

The States at present are divided into two great parties; those who have promoted the new government call themselves federalists, their opponents are distinguished by the name of anti federalists, and their animosities are carried to *great lengths.*

It is generally admitted that the federal convention which assembled at Philadelphia in 1787, was composed of many of the ablest men in the states; after much previous discussion, three plans were submitted to their consideration and debated:

1st. That of New Jersey, supposed to be the production of Governor Livingston, which went merely to the increase of the powers of the present congress; it was judged insufficient.

2nd. Colonel Hamilton's, that had in view the establishment of a monarchy, and the placing the crown upon the head of a foreign prince, which was overruled, although supported by some of the ablest members of the convention.

3rd. That of Virginia which was adopted. The ablest men in the States are at this moment strongly prepossessed in favour of our form of government, and they view the constitution which they are straining every nerve to establish, rather as an experiment, paving the way for a more energetic one, than as a final settlement of the country, but they have gone fully as far as they could, and in truth few instances if any can be produced in which so general a resumption of authority has taken place without violence in so short a time, where the surrender had been so compleat; the new government will be formed at New York in March without much difficulty or disturbance, but whether it will remain for any time possessed of energy sufficient to effect the ends for which it was framed is very doubtful indeed; General Washington will be the President and Mr. Hancock, it is thought, will be the Vice-President, it is suspected both these gentlemen have a french bias.

The new government will be attended with more expence than the present one, or than a prudent well regulated monarchy; the gentlemen whose views were pointed to a regal government, consider the present short lived appointment of President as a poor object for ambition, and that some future one may probably wish to reestablish monarchy in order to raise himself and his family to permanent greatness.

The difficulty of bringing the new government into operation is greatly increased by the inconsiderable majorities which decided its adoption in the conventions of the great states of Massachusetts Bay, New York, Pennsylvania and Virginia, in all of which the majorities as to numbers are antifederalists, although the partizans in favour of the new system hold the greater share of landed and personal property.

The whole weight of the order of the Cincinnatti, is thrown into the federal scale, and pains have been taken, particularly during the course of the last year, to strengthen, and cement this military institution, of which General Washington is at present President General, and Major General Knox, Secretary General; notwithstanding all the objections to this order, from the natural jealousy of a confederated Republican government, it is at this moment a hereditary one, with this singular distinction, that the possessor has a right to leave his diploma to a younger son in preference, if he thinks him more worthy of it.

The ensuing winter will be exhausted in state contentions between the two great parties; the enemies of the new government will use every endeavour to weaken it, its friends to maintain the ground they have gained, Pennsylvania has already taken the lead, her legislature being now in session, and she has given the tone to the opposition, following the style of the circular letter from the state convention of New York, upon her adoption of the constitution at Poughkeepsie; this letter is considered to have been very prejudicial to the federal interest, but it was the price of the compromise of the antifederal gentlemen, who would not even have agreed to this, if New Hampshire and Virginia had not gone before them in deciding to adopt the system; finding the constitution carried, they did not chuse to withdraw from the Union, as Rhode Island and North Carolina have done, knowing that their

opponents had determined to separate the southern districts from the northern, and to defend New York Island and its dependencies, which included nearly those positions occupied by the King's Troops during the late war, for which purpose they had actually concerted measures with such of the neighbouring States as had previously adopted the new constitution.

Many wealthy individuals have taken a decided part in favor of the new plan, from the hope that the domestic debt of the Union may be funded, and that the various paper securities, of which they are holders to a great amount, purchased for a trifle, may rise to their full value.

The effect, which the present change now taking place in the states has produced upon that description of men who were known to have been uniformly attached to our government is worthy of notice; some of the most enlightened are federalists, from the persuasion that the re-union of the empire is impracticable; while many of the lower order are violent antifederalists, flattering themselves that the ruin and distress of the country may produce what they have never lost sight of, but a large and respectable proportion take little or no part in the general politics of the day; they begin notwithstanding to rise in the estimation of the country, are courted by both parties, and have in many instances been elected members of the State Legislatures, and even appointed Delegates to Congress.

It is certain that during the present summer while it was not expected, that nine states, the number required by the constitution would ratify it, there was an intention to have had recourse to arms, Major General Knox held himself in readiness at New York for several weeks, and measures were taken to assemble ten thousand men in New England and a corps in Jersey, many of the officers were named for these Troops, General Washington being no stranger to the measure, and it having been reported and believed, that Count Moutier, the French Minister, was taking a part unfriendly to the new government, General Knox told this minister plainly what he had heard, at the same time assuring him, that the gentlemen in the states, were determined to carry this point, and if he persisted in his purpose, or if the agents of his Court, were found to take an unfriendly part in it, it would detach the country from France.

The collection of taxes and prevention of smuggling are amongst the leading difficulties which the new system has to encounter, and it remains yet to be decided, whether the people of the states at large are in a disposition to submit to measures unavoidably requisite, if they are to be a nation, connected with foreign powers, either, by political or commercial treaties; they must have an army beyond a doubt; the present continental establishment is calculated for the Indian frontiers only, and is even inadequate to that service, yet whilst the murmurs and complaints are universal, population is rapidly increasing, agriculture flourishes, and the face of the country exhibits the picture of a people, rather unwilling, than unable, to contribute to the necessities, and to restore the honor of a contemptible government.

Amongst the number of objections to the new system raised by the advocates for a monarchy, the constant struggles for power, which in the nature of things must take place between the general or national, and the state governments, are not the least important, without an army it is doubted how far the State governments may not be expected to prevail.

Many sensible federalists view the new system as a work for their posterity, doubt whether any of its advantages will be felt in their time, and seem anxious to remove the impressions of imaginary benefits, which many of its advocates declared it to be pregnant with, in order to give it a momentary popularity in the country.

The antifederalists in general are quiet for the present, but neither the spirit nor the strength of the party are exhausted; sullen and discontended, they hold little intercourse with their adversaries, and all the ties of social life are done away; yet it must be admitted, that in vigor, talents and a chain of intercourse, they are very inferior to the federal party, who amidst a variety of difficulties, enjoy this advantage, that a republican government does not seem calculated for the genius and disposition of the people in the states.

The emigration to Kentuckė and to Major General St. Clair's government beyond the Ohio, termed the western territory, have exceeded the bounds of credibility, it is difficult to form a true estimate of the number of the inhabitants, but they are daily increasing, and notwithstanding the evident inconveniences of settling such an extensive country under all the dangers of an Indian war, the spirit of removing from the seaboard states does not subside, particularly from New England, whose enterprizing people, checked in their commercial pursuits, turn with wonderful facility to this tempting although remote country, and without being deterred by the danger or prevented by the difficulty of finding the means of subsistence for themselves and families until they can form an establishment in those distant settlements, they travel in hords to the southwest, threatening the Spanish provinces with early hostilities as a leading step to which, a body of five hundred men, formed into a regiment regularly officered and armed, with two field pieces, have agreed on a plan to establish themselves upon the junction of the Mississippi and Missouri rivers on the northern bank, they are commanded by Colonel Sherman of Connecticut are to rendez-vous at Pittsburg in May, where their craft is preparing, and call themselves the first division of the intended settlement, they are composed chiefly of officers and soldiers who served in the late continental army, these men declare themselves indifferent whether this measure may be agreeable to Congress or not, as to the Spaniards they neither fear nor respect them and are of opinion that the Kentuckė people will force their way down the Missisippi to the ocean in two years, if not sooner, as to themselves they are desirous to open a friendly intercourse with our government by the northern lakes, passing down some of the rivers that fall into the green Bay, which has a ready communication with Michilimackinac, where they wish to be permitted to exchange their furs for our manufactures and where they think they may be obtained cheaper than by a land carriage through the States.

The present feeble Congress has little authority over any part of the western country and it is much doubted whether the new one, may possess power sufficient for the purpose.

The change now taking place in the United States, has not escaped the attention of the inhabitants of Vermont, they are fully sensible that if a strong national government shall be settled, it may produce claims upon them for the past, and unfavourable offers for the future, but with a composure which strongly marks the character of this people, they seem determined to remain in their present unconnected situation; if hard pressed they will defend their country by arms, every man will fight upon this principle, and they entertain high notions of their own strength in a Defensive war.

There is a general growing British interest in the states and it will be good policy to hold a friendly language to that country, and to shew a disposition to form a treaty of commerce with them, whenever they shall have established a government and shewn that they have something solid to bestow in return; at present they have a taste to consume our manufactures far beyond their powers of payment, and they are not in other respects in a condition or temper to render it prudent to attempt an object of so important a nature.

We possess the commerce of the states, even the China trade has in general been carried on with the property of our merchants, whose chances of remittances depended upon the success of those Asiatic Speculations; this growing commerce is supposed to be injurious to our East India Company, the present poverty of the country not admitting of their finding a market at home, they force one elsewhere, smuggle with all our foreign possessions and have even shipped cargoes to the continent of Europe, which were afterwards run into Great Britain and Ireland; generally speaking the commercial character and credit are sunk to the lowest ebb. Bankruptcy has ceased to be disgraceful; even Mr. Morris of Philadelphia, has bills to a great amount returned protested from Europe, the payments of which are suspended, and his immediate prospect of retrieving his affairs depended upon the arrival of a large ship from China, which did arrive about the middle of September.

France last winter sent Count de Moutier as her minister to the states, and she has a very large establishment of consuls with a presiding Consul General, her motives are well known, they report upon the most minute branches of the commerce and productions of the country, upon the tastes, prejudices and politics of the people, but the french interest is gone, with an exception to some individuals, they have no commerce with the states, their packets are discontinued, and a considerable pension list has been abridged, nor does the conduct of the Count tend to the purposes of conciliation and respect, cold and haughty in his manners, yet not exempt from meanness in his conduct, he treats the gentlemen in public stations, even the highest, in a way little short of contempt.

The late Count de Vergennes formed the plan of a consular establishment in the states, which had no less an object than the granting to the French consuls a judicial authority over all the natural born subjects of France, who might be found in the country, to hold courts, to summon them before them, to arrest their persons, and to convey them away, to this measure Doctor Franklin had the weakness to accede, even the ablest men have their failings, the Doctor's in being open to flattery and the court of Versailles made the most of it, Politicians praised him as a Statesman, men of letters as a Philosopher, and the influence of the sex was not wanting to give him a disposition favourable to France.

The French ministry have for some time turned their thoughts to the obtaining timber for their marine from the states, and in order to ascertain with precision the extent and quality of the Naval Stores in the different parts of the country, Gentlemen were sent from France, who have travelled with this view from New Hampshire to Georgia and have lately returned to Europe.

Nothing has contributed more to weaken the French interest in the States at large, than the solicitations of that nation for the repayment of the money lent during the war, she continues to press it, but Doctor Franklin does not escape censure for his conduct as a minister, in not having been more spirited in his declarations to the Count de Vergennes, the effect of which, it is now imagined, might have been, that the States would have received as a subsidy what they accepted as a loan.

The manufactures of the States are in their infancy, yet the enterprising genius of the people may be gathered from the great exertions of individuals in this branch, under all their present embarrassments. In Connecticut attempts have been made to make silk, and with success, specimens are shewn at New Haven college, and Doctor Styles the President who is a man of genius and perseverance, is indefatigable at present in promoting it. Nail manufactories are already established, there are two in Albany that supply the whole country, and the importation of nails from Great Britain has ceased in that neighbourhood, the spirit with which this undertaking is carried on, cannot be more clearly exemplified than by observing, that of

forty men and boys of which one of three manufactories is composed, thirty eight are from Great Britain and Ireland, the remaining two are New Englanders, those from Europe are chiefly boys from Scotland, and Ireland, bound for a certain number of years and taught in the States, a white glass manufactory has lately been set on foot in Jersey, and the sale is not inconsiderable.

Pennsylvania has taken the lead in various branches of manufacture, it is said that there are at this time between two and three hundred stocking looms in the city of Philadelphia and different parts of the state, with full employment.

Machines for carding and spinning cottons have been introduced and Jeans can be made on moderate terms, the culture of cotton is at present much attended to in the southern States.

The consumption of our manufactures must be less than it has been since the peace, the general poverty of the country demands it.

Nothing can well exceed the disordered condition of their finances, the requisitions for 1789 lately made public, shew the extent of their federal debt, and the lengths they have ventured to go towards the payment of the interest, but the root of the evil lies much deeper, the successive violations of the public faith and credit, the injudicious circulation of paper money, its various depreciations as well regulated as otherwise, and the acts of several Legislatures, undeniably calculated to serve individuals at the general expence, have so thoroughly destroyed all confidence in their rulers, that it must be a work both of time and great good sense to give credit and dignity to their Government.

There are strong indications of a general Indian war, the presents were attacked on their route from Pittsburgh to Muskingum, the escort preserved them, but they returned to Fort Pitt, a treaty is now open at the junction of the Ohio and Muskingum rivers, where a city is laying out, which is intended to be the seat of Government of the Western Territory. General St. Clair has received ample powers from congress to conduct this business, he is not only Governor of this great country, but Superintendent of Indian affairs.

The conduct of the states of Georgia and Carolina in breaking their faith with the southern Indians was greatly censured in congress, and it was not without the most pressing entreaties that they could prevail upon the Union to afford them assistance in the war prod iced by it. On the contrary, they were threatened with a public declaration from congress disavowing their proceedings.

The Legislature of the State of New York, during their late sessions, being informed that a number of gentlemen, principally their own citizens, had made an agreement with the Indians, usually distinguished by the name of the six nations, for the purchase of a great tract of land called the Genessea country, to the prejudice of the interests of the public, passed a law, declaring all such bargains null and void, that any person or persons presuming to persist in such practises should be esteemed guilty of high treason, appointed commissioners to treat with the six nations for this purchase, placed their Governor at the head of them and named Fort Schuyler (formerly Stanwix) as the place for holding the treaty, which after many delays was opened in September and is still unfinished.

The Gentlemen opposed to the commission have leased the tract in dispute from the Indians for nine hundred and ninety nine years, they deny this being a purchase, the Legislature holds otherwise, nevertheless they have paid a part of the money to the Senecas and Cayugas, the two tribes who possess the right of soil and who have hitherto remained firm to their agreement, not having even appeared at Fort Schuyler, sending a message to the Commissioners that they were obliged to be present at the treaty holding at Muskingum.

The Commissioners in the mean while have come to terms with the Onondagas for a certain annual sum, and hope to succeed with two other tribes, but great difficulties occur coming to any agreement with the Oneidas, this tribe having got into the way of letting out their own lands on annual quit rents.

The right of soil in upwards of five millions of acres in the Genessee Country has been lately ceded by New York to Massachusetts upon a compromise of their claim to a large part of the western country of New York, this district the gentlemen have bought from Massachusetts and two thousand families are already upon it, but they have not ventured to take any steps towards the settling the other district of the Genessee Country, which is still more extensive, pending the treaty at the opening of which the French minister Count Moutier was present, he remained several days was particularly attentive to the Indians made them several presents, and came accompanied by a young Oneida Indian, who has been very lately in France with the Marquis de la Fayette, where much pains have been taken to give him dispositions favorable to that country, he has remained with his Tribe and is one of their Chiefs.

The detention of the Western Posts has greatly excited the notice of the States, been used as the means to work upon their passions, not only in New York, which is principally interested but in New England generally, and the term foreign enemy has been frequently repeated during the meeting of the New York convention assembled at Poughkeepsie and applied to our garrisons in those forts—it was held out as a proof of the weakness of their original confederation and of the necessity for altering it, not upon the principle that their violations of the treaty of peace had warranted such detention for on that subject both parties were silent, but that the energy and dignity of the new government would enforce that which the feebleness of the former could not reach and pains were taken by the federalists to persuade the country, that with these posts the whole of the fur trade would follow, passing lake Ontario and down the Mohawk river to Albany.

The security of those posts is also affected by the unsettled situation of the western Territory, the existing Indian warfare and by the powers vested in General St. Clair to draw fifteen hundred militia from the Pennsylvania frontiers and to march them into his government to the westward of the Ohio, whenever he shall judge necessary, for which the hostile disposition and behaviour of the Indians is the ostensible cause to these circumstances it becomes essential to add that a large proportion of the late continental army is now settled and settling in Kentucké, and in the western territory, exclusive of all the other emigrations.

No. 6.—LORD DORCHESTER TO LORD SYDNEY.

(*Canadian Archives, Series Q.* 41–1, *page* 283.)

QUEBEC 11th April 1789.

MY LORD,—I am informed the Spanish Government at New Orleans has for some time past observed a very friendly conduct towards the inhabitants of Kentucky.

Special permits have been put into the hands of some of the leading characters of those settlements for sending down the Mississippi determinate quantities of Tobacco, which are purchased at New Orleans on account of the government, and ten thousand dollars have been issued from the public treasury there, for the purpose of purchasing merchandize in Kentucky, which sum has been consigned to gentlemen of that country, and is actually arrived at the Falls of the Ohio.

The Spanish Territories upon the Mississippi between the thirty-first and thirty-third degrees of North latitude are erected into a Lieutenancy dependent on New Orleans, a Governor has been appointed, and all Americans are invited to settle there under flattering offers.

A Monsieur d'Arges a Knight of the Order of Saint Lewis, who has been a resident of Kentucky for near a year, and in the employ of the Spanish Government, is said to have advised this measure at the Court of Madrid, where he has had several audiences, since he left Kentucky.

On the west side of the Mississippi, opposite the mouth of the Ohio, another Spanish Settlement is intended with similar views, under the Agency of a Mr. Morgan, formerly a merchant at Philadelphia, who is now upon the Ohio.

Nothwithstanding the favourable answer given by Congress to the demand of Kentucky to be admitted a sovereign state in the union, the people of that country have lately discovered a strong inclination to an entire separation, and some of their leading men have entered into correspondence with the Spanish Government at New Orleans.

Their apprehension, that Congress will consent to give up the navigation of the Mississippi for twenty-five years, is one of the reasons, which induces them to listen to the overtures of Spain.

In a late convention, held at Danville, it has been proposed by those who are gained over to the Spanish views, to throw themselves under the protection of that power.

But the general result of more private Councils among them is said to be, to declare Independence of the Federal union, take possession of New Orleans, and look to Great Britain for such assistance as might enable them to accomplish these designs.

A committee of private correspondence has been appointed by them to influence all the inhabitants, west of the Mountains in the same measures.

I inclose some of their political reflections on the state of affairs in the western country.

A new American settlement is now forming at the mouth of the Great Miami on the North side of the Ohio, conducted by a Mr. Symms, a late member of Congress, and covered by a garrison of one hundred and fifty Continental Troops.

I am with much respect
and esteem,
Your Lordship's
most obedient, and
most humble servant,
DORCHESTER.

The Right Honble. Lord SYDNEY.

N° 7.—DESULTORY REFLEXIONS BY A GENTLEMAN OF KENTUCKY.

(*Canadian Archives, Series Q.* 41-1, *page* 286.)

1. The River Mississippi being the Channel by which the western settlements of America must export their products, we may form a just estimate of the importance of this channel by casting our eyes over a map, comprehending that vast and luxuriant country watered by its branches.

2. As the balance inclines the beam, the Atlantic States of America must sink as the western settlements rise. Nature has interposed obstacles and established barriers between these regions, which forbid their connexion on principles of reciprocal interest, and the flimsy texture of republican government is insufficient to hold in the same political bonds, a people detached and scattered over such an expanse of territory, whose views and interests are discordant.

3. Thus local causes, irresistible in their nature, must produce a secession of the western settlements from the Atlantic States, and the period is not very distant. But these people must for ages continue agricultural, of consequence, foreign protection will be expedient to their happiness, and this protection must necessarily comprehend the right of navigating the Missisippi with a marine to protect its commerce. That power which commands the navigation of the Mississippi, as completely commands the whole country traversed by its waters, as the key does the lock, the citadel the outworks.

4. The politics of the western Country are verging fast to a crisis, and must speedily eventuate in an appeal to the patronage of Spain or Britain. No interruption can be apprehended from Congress, the seditious temper and jarring interests of the Atlantic States forbid general arrangements for the public good, and must involve a

degree of imbecility, distraction and capricious policy, which a high toned monarchy can alone remedy; but the revolutions and changes necessary to reconcile the people to such a government, must involve much delay. Great Britain ought to prepare for the occasion, and she should employ the interval in forming confidential connexions, with men of enterprize, capacity, and popular influence, resident on the western waters.

No. 8.—LORD DORCHESTER TO LORD SYDNEY.

(*Canadian Archives, Series Q* 42, *page* 13.)

Secret.

QUEBEC 7th June 1789.

MY LORD,—The inclosed description and political observations on the affairs of the western country between the Allegany mountains and the river Mississippi, were presented to the French Minister in America, by whom they were received with great eagerness and forwarded to his Court. I think them tolerably correct, and written by a man of judgment. Their object is to induce France to take possession of New Orleans, and thereby to secure to herself all the trade of that vast country, which of necessity must pass that way.

This plan, and the occurrences in the western country of last year, mentioned in my letter No. 107, are not entirely unknown in the United States, and alarm the governments and people of property on the Atlantic. Hence some discontented persons of consideration among them have caught the idea, that Great Britain might be placed in the room of France, and have made me offers of their service to bring this about.

Wishing to understand the nature and extent of their plans, and of their expectations from me, I learned, that some of them proposed going into the western

No. 9.—OBSERVATIONS SUR LE PAYS DE L'OUEST.

(*Archives canadiennes, série Q, vol.* 42, *p.* 16.)

(*Original.*)

Avant de jetter nos regards sur l'avenir pour découvrir le germe des evenemens, qu'un petit nombre d'années, peut-etre, est destinée a faire eclore, examinons sommairement la situation actuelle des Republiques naissantes de ce coté des Apalaches.

Le païs compris entre ces montagnes, l'Ohio, le Missisippi, et le Golfe de Mexico, renferme plus d'etendue de terrein, que le reste des treize Etats Unis. Que sera ceci, si nous y joignons les domaines qui leurs ont été cédés par l'Angleterre au Nord de l'Ohio? Ce païs, comme il a été dit ci dessus, par la fertilité inépuissable de son sol, par la salubrité de son climat, par une situation hereuse, qui lui promet un jour un grand commerce, est devenu aujourd'hui un objet de predilection, et attire si puissamment les habitans de toutes les parties de l'Amérique, que l'on craint deja que celle-ci ne manque bientôt des cultivateurs. Entre les etablissemens deja formés dans cette plaine immense la contree de Kentucky merite sans contredit le premier rang par sa population, par son site sur une belle riviere navigable presque en tous tems, par le grand nombre d'autres rivieres qui la traversent par tout, et assurant ses communications par son voisinage du Missisippi et des grands lacs du Canada. Les autres peuplades ont pour le present le desavantage d'estre trop centrales, et bornées par des Apalaches, les nations Indiennes des Creeks, Cherokees, Choctows et Chickasaws, par la Floride de l'Ouest, et par Kentucky; dans cette position leur progés doit etre plus lent. Elles arriveront plus tard a l'importance, mais neantmoins elles ajoutent deja beaucoup a la notre, en nous servant de barriere contre un ennemi cruel et toujours en haleine. Kentucky n'a plus a lutter que contre quelques faibles hordes des Sauvages etablis sur le Wabache, et vers le lac

country, and were convinced that by their influence they could effect a separation of it from the Atlantic States, that I should supply them only with arms and ammunition by way of the upper posts, that their intercourse with the lakes should be free and open, and that a peace with the Indians would facilitate the business. They required no more, and doubted not, but they would be able to take New Orleans and deliver it over to Great Britain, desiring only freedom and protection of their trade down the Mississippi.

To remove any objection, by reason of our being at peace with Spain, I was informed, that Spain, when at peace with us, had furnished America with money for the revolt, as might be easily proved, and that they did not want Great Britain to appear concerned till they were in possession of New Orleans. No mention was made of money for private or public purposes, yet I take for granted this would be expected.

After many thanks for their confidence and good will to Great Britain, and assurances, that though I could not say these offers of service might prove of advantage to them, they might depend on their not being detrimental, I added, that no governor would venture to adopt a measure of this importance, and that it must proceed from the source of power. Being pushed to declare my opinion of the scheme, I replied I must think of it as my master thinks, I understand this last question to have been put with a view of carrying the matter home, and to know how far I would countenance the project.

The inclosure is not entire, the introduction having been omitted in the copying, as I was informed, on account of its length, and containing nothing of any moment.

I am with much respect
and esteem
Your Lordship's
most obedient, and
most humble servant
DORCHESTER.

The Right Honble. Lord SYDNEY.

No. 9.—OBSERVATIONS ON THE WESTERN COUNTRY.

(*Canadian Archives, Series Q, Vol. 42, p. 16.*)

(*Translation.*)

Before casting a glance at the future let us, in order to discover the germs of events which a few years are perhaps destined to bring to light, examine summarily the present situation of the nascent republics on this side of the Appalachian Hills.

The country comprised between these mountains, the Ohio, the Mississippi and the Gulph of Mexico, contains a greater extent of land than the rest of the thirteen United States. What will this be if we add to it the domains ceded by England to the North of the Ohio? This country, as has been said above, by the inexhaustible fertility of its soil, by the salubrity of its climate, by a fortunate situation, which promises to it one day a great commerce, has become at the present moment an object of desire, and draws so powerfully the inhabitants from all parts of America, that there is already a fear they will soon want farmers. Among the settlements already formed in this immense plain, the country of Kentucky deserves undoubtedly the first rank by its population, its site on a beautiful river, navigable almost always, by the large number of other rivers which traverse it every where, and assured of its communication by its neighbourhood to the Mississippi and to the great lakes of Canada. The other colonies have in the meantime the disadvantage of being too central and bounded by the Appalaches, the Indian Nations of Creeks, Cherokees, Choctaws, and Chickasaws, by Western Florida and by Kentucky; in this position their progress must be slower. They will subsequently attain to importance, but nevertheless they already add much to ours, by serving as a barrier against a cruel enemy, always at work. Kentucky has no longer to contend except against a few weak hordes of savages, settled on the Wabash and towards Lake Erie. The frequent

Erie. Les courses frequentes que ces barbares font encore dans notre païs le allarmes, les meurtres, les depredations qui les suivent sur nos frontiers, peuven bien arreter un petit nombre d'individus timides, qui se sont fait une idée terribl des Indiens, mais cela n'empêche point la colonie de s'augmenter tous les Etés d dix a douze mille emigrants. Les Sauvages d'ailleurs se sont beaucoup éloignés de Rives d'Ohio, et leur nombre diminue tous les jours. Ces sont au reste de tro meprisables guerriers, pour que leur resistance puisse etre regardé comme u obstacle capable de retarder l'agrandissement de ces peuplades, leur genre de guerr peut etre funeste, a un petit nombre des malheureux, qu'ils surprennent a l'écar mais l'activité generale, l'expansion progressive, n'en soufre pas la moindre alteratio

Par un acte solennel du corps legislatif de la Virginie, le païs de Kentucky doi etre reconnu au premier de Septembre 1787 Etat Souverain et Indépendant, e membre de la grande confederation. Le païs de Franklin sur les derrieres de la Car line du Nord jouissoit deja de cet honneur il y a deux ans, mais leur position des vantageuse pour le commerce ne leur promettant pas d'y établir un revenu public ils se sont derechef unis a l'etat primitif, en attendant des circonstances plus favo rables. La population du Cumberland n'est pas encore assés nombreuse pour former un gouvernement separé, mais il ne lui faut que deux ans pour etre trés res pectable. Les emigrants sur les derrieres de la Georgie viennent de conclure ave les Creeks un traité trés avantageux, qui va leur permettre de s'etendre dans l'Ouest Il ne manque à toutes ses peuplades, qu'un commerce libre, et la seule voye pa laquelle elles puissent le faire, est par le Missisippi. Leurs terres convenables pou toutes sortes des cultures sont surtout singulierement propres a produire le chanvre le lin et le tabac. Nos recoltes dans ce dernier article sont a present bornées à l consommation interieure et a des faibles exportations sur le Wabash et aux Illinois circonscrits comme nous le sommes, sans commerce exterieur, sans debouche pou nos denrées, notre prosperité presente, notre grandeur future, l'accroissement d notre population, l'intension de notre industrie, l'appreciation de nos terres, notr importance comme cultivateurs, comme negocians, comme corps politique, tou depend de scavoir si nous jouirons d'un bienfait de la nature, ou si elle aura vaine ment creusé auprés de nous un des plus beaux canaux de communication avec tou les peuples de L'univers. Le Congré avoit chargé ses Agens à la Cour d'Espagn dy soutenir sa dignité et maintenir nos droits; quelques difficultés relatives au demarcations du territoire, ou peut-etre le plan de nous amuser, ont fait tranferre les negociations à New York. Quelles que fussent à cet egard les intentions de l Cour de Madrid, un danger plus à craindre que ce refus, a été sur le point d'aneanti nos esperances. La politique sourde et partiale de quelques Etats politique don il seroit trop long de developper ici les principes et les projets, se fortifiant de l terreur d'une desertion generale, a presque fait le Congré tomber dans le piege deli qu'ils lui avaient tendu. On a fait circuler un papier insidieux, contenant la propo sition d'abandonner pour ving cinq ans nos pretensions sur la navigation du Missi sippi, au moyen de quoi les païs de l'Est auroient un commerce libre avec l'Espagne La Virginie et le Maryland viennent tout recemment de proscrire l'idée d'u pareil traité comme derogatoire a l'honneur des Etats Unis, et destructif de principes de la confederation dont l'influence doit se repandre sur toutes le parties de l'Union sans exception, ni preferrence d'aucune, et l'exemple respec table de ces deux Etats a été suivi par la majorité des autres auxquelles ils donnen si belle leçon de desinteressement, car leur commerce de tabac doit etre vivemen affecté si la mer est ouverte à des contrées qui produisent dans la même etendu de terrein trois fois autant des plantes mieux nourries, et generalement recon nues comme superieures en qualité. Au reste de quelque maniere que notr commerce rompe ces entraves qui l'asservissent maintenant, la revolution qu la rendra libre ne peut plus etre fort eloigné. Quand une faible digue s'oppos au cours impetueux d'un torrent qui grossit toujours, il faut ouvrir l'ecluse ou que la digue soit emportée. On ne doit nous considerer, comme des Colonie encore au berceau, nous acquerons tous les jours des nouvelles forces et nous les con naissons. La nature a prodigué ici toutes les richesses de sa fecondité pour faire

excursions which these barbarians make into our country, the alarms, the depredations which occur on our frontiers may stop a few timid individuals, who have formed a terrible idea of the Indians, but that does not prevent the colony from increasing every summer by from ten to twelve thousand immigrants. The Indians are, beside, at a great distance from the banks of the Ohio, and their number is daily decreasing. They are, in addition, too contemptible as warriors for their resistance to be regarded as an obstacle capable of delaying the growth of these colonies, their kind of war may be fatal to a few unfortunate people, whom they surprise when alone, but the general activity, the progressive expansion, does not suffer the least change.

By a solemn act of the Legislature of Virginia, the country of Kentucky is to be acknowledged on the first of September, 1787, as a sovereign and independent State and a member of the Confederation. The county of Franklin behind North Carolina was in the enjoyment of this honour for two years, but its disadvantageous position for commerce not promising the establishment of a public revenue, it has again been placed in its primitive condition awaiting more favourable circumstances. The population of Cumberland is not yet numerous enough to form a separate Government, but it will not take two years to make it very respectable. The emigrants at the back of Georgia have just concluded a very advantageous treaty with the Creeks, which will allow them to extend towards the West. All that these colonies want is a free commerce, and the only way they can obtain it is by the Mississippi. Their lands, suitable for all sorts of crops, are above all singularly adapted to produce hemp, flax and tobacco. Our crops of the latter article are at present confined to home consumption and to slight exportation to the Wabash and the Illinois. Circumscribed as we are, without foreign commerce, without an outlet for our goods, our present prosperity, our future greatness, the increase of our population, the activity of our industry, the increased value of our lands, our importance as farmers, as merchants, as a political force, all depend on knowing if we shall enjoy the gifts of nature, or if she has vainly excavated beside us one of the finest channels of communication with all the nations of the universe. Congress had charged its agents to the Court of Spain to sustain its dignity and maintain our rights. Some difficulties relative to the limits of territory, or perhaps a plan to amuse us, have caused the negotiations to be transferred to New York. Whatever be, in this respect, the intentions of the Court of Madrid, a danger more to be feared than this refusal has been on the point of destroying our hopes. The senseless and partial policy of some political States, of which it would take too long to develop the principles and projects, strengthening themselves by the fear of a general desertion, made Congress almost fall into the crafty snare which they had laid. An insidious paper was circulated, containing the proposition to abandon for twenty-five years our claims to the navigation of the Mississsippi, on which ground the Eastern States would have free trade with Spain. Virginia and Maryland only recently opposed such a treaty as derogatory to the honour of the States, and destructive of the principles of the Confederation, whose influence should extend over all parts of the Union, without exception and without preference to any one, and the good example of these two States was followed by a majority of the others, to which they had given so fine an example of disinterestedness, for their trade in tobacco must be largely affected if the sea is open to countries which produce in the same space of ground three times as many plants, better grown and generally acknowledged as superior in quality. Besides, in whatever manner our commerce breaks the bonds to which it is now subject, the revolution which will make it free cannot be far off. When a feeble dam is opposed to the impetuous course of a torrent, which steadily increases, the sluice must be raised or the dam be carried off. We must not be considered as colonists still in the cradle; we are gaining every day new strength and we know it. Nature has lavished here all the riches of her fruitfulness to establish an equilibrium against the attraction which would have fixed men to the shores of the sea, and the convenience of the navigation of a great river has determined the balance in our favour. We are no longer a small company of adventurers, isolated in a corner of the universe; we have taken a place among the nations. Our neighours by thousands leave their mountains and their sands to settle in our plains, the rest of America is becoming depopulated to enrich

équilibre contre l'attrait qui auroit pu fixer les hommes aux bords de la mer, et la commodité de la navigation d'un grand fleuve a determiné la balance en notre faveur. Nous ne sommes plus une petite societé d'avanturiers qui vont s'isoler dans un coin de l'univers; Nous avons pris place parmi les Nations. Nos voisins quittent par milliers leurs montagnes et leurs sables, pour venir se fixer dans nos plaines, le reste de l'Amerique, se depeuple pour nous enrichir de ses pertes. Bientot nous allons attirer sur le Missisippi les regards de l'Europe, accoutumes à s'arreter aux rivages de l'Atlantique. En vain une politique jalouse voudroit y mettre obstacle autant voudroit defendre à la flamme de monter, à la pierre de descendre. Tel est le langage universel que l'on tient, non seulement à l'Ouest des Apalaches, mais dans toute l'Amerique. Je ne fais que vous repeter ce que j'entends, et que vous avez pu entendre tous les jours. S'il y a en effet quelques principes clairs dans le calcul des probabilites, il ne faut qu'un coup d'œil pour appercevoir, qu'une region ausi eminente, favorisée de la nature, doit bientot, entre les mains du peuple le plus actif, que l'on connoisse, le plus amateur de l'agriculture et qui l'entend le mieux, former une masse d'hommes, et des productions, capables de renverser toutes les barrieres. On peut presumer que ce n'est pas tant une vaine chicane pour vingt lieües de territoire, qui cause la jalousie de l'Espagne, que la crainte de voir des voisins dangereux passer le Missisippi et s'emparer de ses possessions de l'Ouest. Elle peut craindre qu'ils ne se repandent dans les plaines superbes qui s'etendent jusqu'au Nouveau Mexique, qu'ils ne lui enlevent la riche traite du Missouri, que peut estre leurs avidité et leurs besoins ne les poussent un jour jusqu'a ses Mines. Mais le systeme de leur boucher le Missisippi est il bien propre à prevenir ces malheurs. Si un homme cherche a preserver ses champs situées sur les bords d'un ruisseau pret à se deborder, voudra t'il s'obstiner a son embouchure ? N'en previendra t'il pas au contraire l'engorgement en lui facilitant un recours ? N'est-ce pas sur la rive, qui borde ses moissons qu'il elevera des digues ? J'oserai avancer que l'Espagne devroit faire le sacrifice peu important du territoire qu'on lui demande, rendre libre la navigation du fleuve, ouvrir son port à nos marchands, encourager notre commerce, et alors le produit de ses douanes a la Nouvelle Orleans lui rendroit plus que tout le reste de la Louisiane. Les Américains, qui auroient interet a bien vivre avec elle respecteroient ses possessions de l'Ouest, et pour les mettre hors d'insulte, il faudroit qu'elle y animat parmi ses sujets, l'amour de l'agriculture, du commerce, des arts, seuls moyens d'y former une population capable de servir de barrière entre une nation entreprenante et ses mines. (J'ai dit ce qu'il faudroit que l'Espagne fit, et ce que je sais bien quelle ne fera pas). Dans cet ordre des choses couroit-on un risque de se tromper en pensant, que la Louisiane peut redevenir un objet serieux d'attention pour la France ? Le sort de ce beau païs sous le gouvernement François a été assez remarquable. L'indifference qui la fait sacrifier à une puissance étrangere n'est née que de l'opinion trop brillante que la nation en avoit concüe, dans ses premieres tentatives d'etablissement. On le croyoit rempli des mines d'or et d'argent, et quand cet erreur a disparüe on a cru qu'il n'etoit plus bon à rien. La compagnie d'Occident avoit exalté toutes les imaginations, par l'esperance des profits immenses, qu'elles devroient faire sur son commerce de pelleteries. Mais la vraie richesse de ces vastes et delicieuses contrées ne s'etoit attiré un seul regard. Tous les etablissements faits sur le Missisippi avoient pour but unique le commerce. L'agriculture y a toujours été, et y reste encore dans un etat d'avillissement, qui doit faire gemir tout homme ami de l'humanité. Les habitants de cinq villages d'Illinois foulent avec dedain le plus riche terrein de l'Univers, et c'est de nous qu'ils recoivent tous les besoins de la vie. A la vüe de leurs culture on hesite à determiner lequel de ces deux sentiments ils meritent le plus, l'indignation ou le mépris. Les François ni les Espagnols n'ont jamais défriché un arpent de terre au Natchés. Et les Americains sous le gouvernement des derniers y ont aujourd'hui trois mille fermes de quatre cents arpents chacune, lesquelles fournissent la majeure partie de consommation de la Nouvelle-Orleans. A quelque distance du Missisippi et sur les branches navigables de ce fleuve les Mathelocks, les Apalousees, les Attacapas, ne font que languir sans augmenter, malgré quelles soient au centre d'une plaine de cent cinquante milles de profondeur sur six cents de front, melangée

us by its losses. Soon we shall draw to the Mississippi the attention of Europe, accustomed to remain on the shores of the Atlantic. In vain will political jealousy interpose obstacles; as well forbid the flame to ascend or the stone to fall. Such is the language universally held, not only to the west of the Appalaches but in all America. I only repeat to you what I hear, and that you might hear every day. If there are, in fact, any clear principles in this calculation of probabilities, only a glance is needed to perceive that a region so eminently favoured by nature must soon, in the hands of people the most active known, the fondest of agriculture and which understands it best, form a mass of men and of productions capable of overturning all barriers. It may be presumed it is not so much a vain dispute for twenty leagues of territory which causes the jealousy of Spain, but the fear of seeing dangerous neighbours cross the Mississippi and seize her possessions in the West. She may fear that they will overspread the superb plains which extend as far as New Mexico; that they will carry off the rich trade of the Missouri; that perhaps their avidity and their necessities will push them one day as far as her mines. But is their system of shutting up the Mississippi well suited to prevent these misfortunes? If a man seek to preserve his fields situated on the banks of a brook ready to overflow, would he persist in damming up its mouth? On the contrary would he not prevent its choking up by facilitating the escape of the water? Is it not on the bank beside his crops that he would raise dikes? I venture the assertion that Spain should make the unimportant sacrifice of territory asked of her to render the navigation of the river free, to open its port to our merchants, to encourage our commerce, and then the produce of the customs at New Orleans would return her more than all the rest of Louisana. The Americans, who would have an interest in living on good terms with her, would respect her Western possessions, and to put them beyond insult, she should excite in her subjects the love of agriculture, of commerce, of the arts, the only means of forming a population capable of serving as a barrier between an enterprising nation and her mines.

I have said what it is necessary that Spain should do and what I know she will not do. In this order of things, would there be any risk of mistake in thinking that Louisiana might again become a serious object of attention on the part of France? The lot of this fine country under French Government has been somewhat remarkable. The indifference which led her to sacrifice it to a foreign power sprung only from the too brilliant opinion the nation had conceived of it in its first attempts at colonisation. It was believed to be filled with gold and silver mines and when this error had disappeared it was considered to be good for nothing. The Western Company had excited every imagination by the hope of the immense profits they were to make in the fur trade. But the true riches of these vast and delightful countries did not attract a single regard. All the settlements made on the Mississippi had only trade as the sole end. Agriculture has always been and still remains there in a state of debasement which should make every man, who is a friend of humanity, shudder. The inhabitants of five villages of the Illinois tread with disdain the richest land in the universe and it is from us they receive all the necessaries of life. At sight of their farming, it is not easy to determine which of the two feelings they deserve, indignation or contempt. Neither the French nor Spaniards have ever cleared an acre of ground at the Natchez, and the Americans under the latter government have now three thousand farms of four hundred acres each, which supply the great part of the consumption of New Orleans. At some distance from the Mississippi and upon the navigable branches of that river, the Mathelocks, the Apalouses, the Attacapas only exist without increasing, although they are in the centre of a plain of a hundred and fifty miles in depth by six hundred in front, uniformly mixed with natural prairies of great extent, forests and arable lands, whose riches equal, perhaps, all others on the globe. The causes of this lethargy are apparent enough. I am convinced that Louisiana is a great burden on Spain and that she does not derive from it nearly what it costs for the expenses of government and for the different garrisons she maintains in it. If she attaches any importance to it, it is perhaps only because she regards it as a bulwark to

uniformement des prairies naturelles fort etendues, des forets et des terres labourable, dont la richesse egale peut estre tout ce qu'il y a sur le Globe. Les causes de cette lethargie sont assez apparentes. Je suis convaincu que la Louisiane est trés a charge de l'Espagne, et qu'elle n'en retire pas a beaucoup prés ce qui lui en coute pour les fraix de Gouvernement, et pour les differentes garnisons qu'elle y entretient. Si elle y attache quelque importance ce n'est peut estre que parce qu'elle la regarde comme un boulevard pour ses possessions dans le nouveau Mexique. Mais assurement elle se fait illusion à cet égard. Je ne scaurois me refuser à l'idée qu'il pourroit et devroit lui convenir; d'abandonner absolument l'une et l'autre rive du Missisippi, et de reculer ses frontières jusque aux montagnes, pourvu qu'elle fut assurée que les Américains ne passeroient pas ce fleuve. Le moyen qui nous paroit devoir le plus indubitablement remplir cet objet et qui seroit le plus agreable à l'Amérique, c'est que l'Espagne retrocede à la France ses anciennes possessions dans le Louisianne, et que celle-ci s'engage vis à vis de la premiere à ne jamais permettre qu'aucune autre puissance forme des établissements à l'ouest du Missisippi. Et qu'on ne croye pas qu'il sera besoin d'une grande force pour faire observer cet arrangement. Si les Americains decouvre qu'on est determiné à leurs oter toutes esperances de faire leur commerce, on doit s'attendre sans doute que le ressentiment et le desespoir les porteront à des actes de violence ; si au contraire on leur offre des facilités, leur interet meme, le plus grand de tous les interets, celui de leur existence commerciale, repond de leur fidelité à remplir les conditions du contrat qu'ils auront souscrit. En supposant meme, qu'un jour l'harmonie qui subsiste entre la France et les Etats-Unis, vint a estre troublée par des evenements qu'une complication des hazards politique peut amener, une pareille rupture ne pourroit jamais affecter les liasons établis entre le païs de l'Ouest et la Nouvelle Orleans. Pour s'en convaincre on n'a qu'à examiner avec un peu d'attention l'emplacement qu'ils occupent sur notre partie du continent. Separés des treize Etats-Unis par une chaine de hautes montagnes qui interdit toute communication avec eux et avec l'Ocean Atlantique, n'ayant absolument aucun interet commun dans leur commerce maritime, dans leurs pecheries, dans les alliances, qu'ils peuvent faire, ou les guerres qu'ils peuvent avoir, ne devant être connu des Européens que par le Golphe de Mexique. Les habitants de ces nouvelles régions voyent, qu'il ne peut leur convenir de contribuer long tems au support d'une confederation, dont le succés ne contribuera rien à leur prosperité, dont les désastres ne peuvent estre santi par eux, qui ne peut les secourir dans leur danger, ni les aider dans leurs besoins. Ils voyent, que les interests des deux contrées ont comme leurs eaux un cour diametralement opposé. Ces deux grande sections de l'Amerique ne peuvent rester adherentes l'une à l'autre. Elles seront habités par des hommes qui parlent la meme langue, mais ce ne sera pas long tems le meme peuple. L'unité est rompüe par les montagnes. Ceux d'en deça cherche un nouvel appui, et ils offrent à la puissance qui les accueillera, des avantages qui ne tarderont pas à effacer ceux, que l'Amerique aujourd'hui comme a pu promettre. On peut les embrasser d'un coup d'œil des Apalaches aux montagnes du Nouveau Mexique, et des lacs du Canada a l'embouchure du Missisippi. Voila une zone du Globe capable de contenir cinquante millions d'habitans, situé dans une plaine continüe, renfermée dans la meme enceinte, dont toutes les parties ont entre elle une liaison intime, un point commun et indivisible du commerce et de navigation. Peu d'années vont y faire éclore une politique nouvelle, et c'est une peuplade qu'on n'appercoit pas encore, qui en couve le germe. Elle a besoin d'un protecteur le premier qui lui tendra le bras, aura fait la plus grande acquisition, que l'on puisse ambitioner dans le nouveau monde. Heureuse ma patrie si elle ne laisse pas echapper ce moment, (un de ceux ne se presente pas deux fois.) Mais quel usage en fera-t'elle ! Maitresse de la Nouvelle Orleans, si elle ferme son port à ces Colonies elle retardera leur agrandissement, c'est à dire, qu'elle retiendra sur leur ancien sol plusieurs millions de consommateurs, qui y sont approvisionnés par toutes les nations de l'Europe au lieu, que si elle leur permet de porter leur denrées à la Nouvelle Orleans, et d'en rapporter leur besoins, d'ici elle fera seule la moitié du commerce

her possessions in New Mexico. But certainly she is under an illusion in this respect. I cannot get rid of the idea that it would and should suit her better to abandon absolutely both banks of the Mississippi, and withdraw as far as to the mountains, provided she were assured that the Americans would not cross that river. The means which it appears to us would most undoubtedly fulfil this object, and which would be most agreeable to America is for Spain to retrocede to France her ancient possessions in Louisiana, the latter to engage towards the former, never to allow any other power to form settlements to the West of the Mississippi, and it need not be thought that a great force will be required to have this arrangement observed. If the Americans discover that it is determined to deprive them of all hope of carrying on their trade, it must undoubtedly be expected that resentment and despair will lead them to acts of violence; if, on the contrary, facilities are offered them, their own interest, the greatest of all interests, that of their commercial existence, will be a guarantee for their faithfulness in carrying out the conditions of the contract which they have subscribed. Even supposing that some day the harmony subsisting between France and the United States should be disturbed by events which a complication of political chances may have brought about, such a rupture could never affect the relations established between the Western Country and New Orleans. To be convinced of this, the situation they occupy on our part of the continent has only to be examined with a little attention. Separated from the thirteen United States by a chain of high mountains which forbids all communication with them and with the Atlantic Ocean, having absolutely no common interest in their maritime commerce; in their fisheries; in the alliances they may make; or the wars they may have; being known to Europeans only through the Gulph of Mexico, the inhabitants of these new regions see, that it cannot suit them to contribute long to the support of a Confederation whose success will contribute nothing to their prosperity, whose disasters cannot be felt by them; which cannot succour them in their danger, or help them in their necessities. They see that the interests of the two countries have, like their waters, a diametrically opposite course. These two great sections of America cannot remain adherent to one another. They will be inhabited by men who speak the same language, but it will not long be the same people. Unity is broken by the Mountains. Those beyond seek for a new support and they offer to the power which will welcome them advantages which will before long efface those which America, as it now is, could promise. These may be seen at a glance, from the Appalaches to the Mountains of New Mexico, and from the Lakes of Canada to the mouth of the Mississippi. Here is a zone of the globe capable of containing fifty million inhabitants, situated in a continuous plain, inclosed in the same compass, of which all the parts have a close connection, a common and indivisible point of trade and navigation. In a few years will be born a new policy, and it is a colony not yet perceived, which will hatch the germ. It requires a protector, the first who will stretch out his arms to it will have made the greatest acquisition that could be desired in this New World. Fortunate my country if she does not let this moment escape, one of those not presented twice. But what use will she make of it? Mistress of New Orleans, if she closes her port to these colonies she will retard their increase, that is, she will keep upon their former soil several millions of consumers, who are supplied there by all the nations of Europe, whereas if she allows them to carry their goods to New Orleans and to take back from there what they want, she will alone have the initiative of the trade of the Continent, and when she shall allow their merchants to go where they will to sell, and to purchase where it may seem good to them, she would still have the best part of this traffic, and in any case her custom house will make large returns. By adopting a course of conduct which gives no umbrage, by leaving to her allies as much liberty in their trade as her own preservation will permit, New Orleans will not take long to become what Nature intended her one day to become, the first commercial city in the world. There is nothing to lead to the fear that the Western Americans can desire to change this order of things. Their interest ought not to rouse in them the desire, but if they had it, their powerlessness, which whole ages cannot overcome, would never leave them

du continent, et quand, elle laissera a leur marchands la liberté d'aller où ils voudroient de vendre et achetter ou bon leur sembleroit, elle auroit encore la meilleure part à ce traffic, et en tout evenement, ses douanes rapporteroient toujours beaucoup. En adoptant une conduite qui ne donne pas d'ombrage, en laissant à ses alliés autant de liberté dans leur commerce que sa propre conservation peut le permettre, la Nouvelle Orleans ne tardera pas à devenir ce que la nature la destiné à etre un jour, la premiere ville commercante du monde. Rien ne porte a craindre que les Americains occidentaux puissent desirer de changer cet ordre des choses. Leur interet ne doit pas leur en faire naitre l'envie, mais s'ils l'avoient une impuissance que tous les siecles ne sçauroient vaincre, ne leur en laissera jamais les moyens. Il faut une force navale pour s'emparer du Misssisippi, et assurer un commerce libre par son embouchure. Tout cet immense païs n'a pas une autre sortie, aucune de ses rivieres n'admet d'y construire de gros batimens, nous ne sçaurions y avoir un seul batteau de force ; fussions nous jamais en etat de chasser de la Nouvelle Orleans la puissance qui en seroit maitresse, à quoi cela menera-t'il tant que nous ne pouvions sortir du fleuve ? Son embouchure est la clé de l'occident nul ne peut la tourner qu'une puissance maritime. Loin donc que nous devions songer à rompre cette barriere, aussi longtemps qu'elle servira a nous proteger et non pas à nous tenir dans l'oppression. Nous ne sçaurions desirer rien de plus heureux, que de la voir dans les mains d'un allié juste, moderé et puissant, puisqu'il est evident, qu'abandonnés à nous même nous devons estre eternellement dans l'impossibilité d'avoir une marine capable de faire respecter notre pavillon dans le Golphe. Ceux qui connaissent l'homme ne seront pas arretés non plus par la considération du genie turbulent, ambitieux, inquiete que l'on connoit à ce peuple. Il apporte ces qualités d'Europe, mais ils ne sont pas indelibles. Ce sont les guerres continuelles, les dissentions civiles de leur ancienne patrie, l'habitude de parcourir toutes les mers, de braver tous les elemens, qui leurs ont donné de l'energie. Aucunes de ces causes ne peut guere agir sur des cultivateurs paisibles que nul ennemi n'environne relegués dans l'interieur des terres, vivant dans une douce securité, trop peu opulents pour eprouver aucunes des passions violentes qui dechirent l'ame ; trop au dessus de la pauvreté pour ne pas aimer l'ordre, le repos, et des jouissances tranquilles. Aprés ce qui a été dit ci devant du peu d'avantage, que le commerce de France a retiré de ses liaisons avec l'Amérique Septentrionale on pourra estre tenté de conclure que le païs occidentale ne promet rien de plus flatteur. Le moindre degré de reflection eclaircie par la connoissance la plus superficielle du local, suffira pour demontrer la fausseté d'un pareil analogue. Aux rivages de la mer les marchands François sont en concurrence avec toute l'Europe, dans le Missisippi il dependra d'eux de rendre leur monopole aussi exclusif qu'ils le voudront, quoique s'ils sont sages, ils s'en garderont bien. Le tabac est presque le seul article de valeur qu'ils puissent tirer de l'Est, et les autres nations viennent comme eux le chercher directement. Des que le Missisippi sera ouvert, la culture de cette plante cessera dans les deux Etats, qui la produisent aujourd'hui, et les negotians François deviendront les fournissants de l'Europe. Outre cet avantage les païs occidentaux leur fourniront encore trois excellens produits, dans la plus grande abondance, le chanvre, le lin et la laine. Là ils ont a combattre l'empire de l'habitude, la force des anciennes connexions, la superiorité de l'air, les collisions de l'industrie ; Ici ils regneront sur le gout même, ils n'auront rien à craindre de la rivalité. Quand les Anglois rempliroient des marchandises les postes voisines, qu'ils occupent sur les lacs, ce seroit sans espoir de les vendre. Car aucune des denrées de cette contrée n'est de nature à supporter les fraix enormes qu'occasionneroit le transport par des rivières qu'il faut remonter si loin outre, plusieurs portage par terre. En reprenant possession de la Louisiane la France y retrouvera trente mille de ses anciens sujets, qui lui sont toujours attachés, et pour qui ce jour sera le plus beau de leur vie. Ce nombre sera bientot augmenté de tous les François du Wabash et de cette multitude des Canadiens qui pour s'estre declarés trop ouvertement en faveur des Américains pendant la derniere guerre se voyent aujourd'hui sans patrie. Ces peuples naturellement laborieux mais [illegible] par le

the means. A naval force is necessary to take possession of the Mississippi and secure free trade by its mouth. All this immense country has no other outlet; none of its rivers admit of the building of large vessels; we cannot have there a single boat of any burthen; were we even in a position to drive from New Orleans the power which is its mistress, to what could it lead if it we had no outlet from the river? Its entrance is the key to the West, no one can turn it but a maritime power. Far be it then from us to think of breaking this barrier, so long as it shall serve to protect and not keep us under. We can desire nothing more fortunate than to see it in the hands of an ally, just, moderate and powerful, since it is evident that abandoned to ourselves we must eternally find the impossibility of having a marine capable of securing respect to our flag in the Gulph. Those who know men, will not be longer arrested by the consideration of the turbulent, ambitious, restless genius of this people. It brings these qualities from Europe, but they are not indelible. It is the continual wars, the civil dissensions of their former country; the habit of traversing all seas, of braving all the elements, which have given them energy. None of these causes can act to any extent on peaceful farmers, with no enemies near at hand, relegated to the interior, living in mild security; not opulent enough to experience any of the passions which rend the soul; too much above poverty not to love order, rest and tranquil enjoyment. After what has been previously said of the little advantage which the commerce of France has received from its connection with North America, there might be a temptation to conclude that the Western country could promise nothing more flattering. The least degree of reflection, enlightened by the most superficial knowledge of the country, will be sufficient to demonstrate the falsity of such an analogy. On the sea coast French merchants are in competition with the whole of Europe, on the Mississippi it will depend on themselves to render the monopoly as exclusive as they desire, although if they are wise they will be very cautious about it. Tobacco is almost the only article they can obtain from the East, and other nations come, like them, to seek it directly. When the Mississippi shall be open the cultivation of this plant will cease in the two States which now produce it, and the French merchants will become the supplyers of Europe. Besides this advantage, the Western country will supply them also with three excellent products, hemp, flax and wool. There they have to struggle with the empire of habit, the strength of old connections, the superiority of the air, the collisions of industry. Here, they will reign over taste itself; they will have nothing to fear from rivalry. When the English filled with merchandise the neighbouring posts which they occupied on the Lakes, it was hopeless to sell, for none of the goods of this country are of a nature to bear the enormous expenses occasioned by the transport up the rivers which must be ascended so far, besides several portages by land. In resuming possession of Louisiana, France will find again thirty thousand of her old subjects, who are still attached to her, and to whom that day will be the fairest in their life; the number will soon be increased by all the Frenchmen from the Wabash and of that multitude of Canadians, who from having declared themselves too openly for the Americans during the last war, see themselves now without a country. These people, naturally laborious, but weighed down by discouragement, will soon emulate

decouragement emuleront bientôt leur voisins a l'example de qui ils devront le gout et la connaissance des détails des actes paisibles, qui font la richesse des Etats. C'est principalement vers la culture des terres qu'il faudra diriger leur activité. Le commerce avec les Sauvages n'a que trop d'attrait pour eux, ils y ont plus besoin de frein que de l'aiguillon. Mais de toutes les cultures, dont cette colonie est susceptible celle qui seroit en même temps plus profitable aux colons, et plus avantageux à la mère patrie seroit l'éducation des troupeaux pourvu qu'on s'attacha et qu'on reussit à y avoir des laines assés belles pour valoir la peine d'estre exportées; et je crois, qu'on pourrait y espérer un succes complet. S'il est impossible de conjecturer juste sur ce point avant l'expérience il est du moins hors du doute que la colonie peut les fournir à très bas prix, puisqu'elle peut sans fraix multiplier à l'infinie les bergeries sur un territoire de plus de dix mille lieues quarrés, qui n'est qu'une prairie continuelle.

No. 10.—LORD DORCHESTER TO LORD SYDNEY.

(*Canadian Archives, Series Q. 42, page 82.*)

QUEBEC, 27th August, 1789.

MY LORD,—The growing importance of the country west of the Apalachian mountains, requires that I should transmit to Your Lordship every material information respecting it. I therefore inclose a plan of the Colony of Kentucky, with some late observations on the state of that country, which at present seems to be the most considerable part of the western settlements.

I am, with much respect and esteem,
Your Lordship's most obedient and
Most humble servant,
DORCHESTER.

The Right Honble. Lord SYDNEY.

No. 11.—OBSERVATIONS UPON THE COLONY OF KENTUCKY.

(*Canadian Archives, Series Q. 42, page 83.*)

Louisville is a town opposite to the falls of the Ohio, upon the south shore, very handsomely situated, containing about two hundred houses, and in the vicinity of the place are quarries of rough marble of an excellent quality for building.

On the opposite side of the river at the foot of the falls stands *Clarksville*, a small town.

From the falls to the confluence of the Ohio with the Mississippi, upwards of four hundred miles, the current is gentle, and the winds during the summer months south or south-westerly, so that vessels of considerable burthen can and will in future sail up to the foot of the falls. At this place is already established a warehouse for the reception and inspection of tobacco, and inspectors are appointed by the Legislature. The distance from Louisville, the most westerly settlement of Kentucky, to Limestone, the most easterly, is, by the rout of Danville, about one hundred and ninety miles, travelling on a large and very good carriage road, both sides of which, generally speaking, are tolerably inhabited, and in some places good improvements; in other parts from the tenure of large military grants, and particular exposure to the incursions of the savages, the inhabitants are scattered.

Danville, the seat of the convention and considered at present as the capital is situated in the interior country, upwards of eighty miles east of the Ohio, upon a small branch of Elkhorn river, in a part well inhabited and improved; it contains upwards of one hundred and fifty houses, and some tolerable good buildings.

Lexington, is situated upon a small stream of the same river, and contains more than two hundred houses, and a handsome Court house built of Limestone.

their neighbours, to whose example they will owe the taste and knowledge of the details of peaceful acts, which make the riches of the States. It is chiefly towards the cultivation of the lands that their activity must be directed. The Indian trade has only too great an attraction for them; they have more need of the rein than of the goad. But of all the forms of cultivation of which this colony is susceptible, that which would be at once more profitable to the settlers and most advantageous to the mother country would be the rearing of flocks, provided it was attended to, and that there were successfully raised fleeces good enough to be worth exporting; and I believe that complete success may be hoped for. If it is impossible to make an exact conjecture on this point before having experience, it is at least beyond doubt that the colony can furnish wool very cheaply, since it can, without trouble, multiply endlessly sheep ranges over a territory of more than ten thousand leagues square, which is only a continuous prairie.

No. 11.—*Continued.*

Bourbon is a small town, thirty miles from Lexington, and *Washington* a long straggling place in one street, on each side of the great road, and within five miles of Limestone.

Limestone is upon the south side of the Ohio, about five hundred miles below Pittsburg, and is the general landing place of all emigrants from the Atlantic States, from whence they proceed into the interior country, and disperse either to the right or left of this great state road, to form their improvements, having descended with the current of the Ohio, in large flat bottomed boats, which they provide at Redstone upon the Monongahela, or at Pittsburg, where many boat yards are erected for this express purpose.

Exclusive of these towns upon the great road, there is *Harrod's town* upon the Salt river, about fifty or sixty miles from the Ohio, containing near one hundred houses, *Leestown*, on Chaplain's fork, of nearly the same size, and *Boonsburg* upon Red river, comprehending upwards of one hundred and twenty houses.

Kentucky, as an appendage of Virginia, was thrown into *three* great Counties, Jefferson, Fayette and Lincoln, and latterly, it is understood two more have been laid off by Act of Assembly.

Kentucky in general appears to be a limestone *Soil*, excellently watered, abounding with cane, which affords nourishment for their numerous cattle, during a short winter, and *saline springs* which by simple evaporation plentifully supply the country with salt. The cultivated *productions* are Indian corn, wheat, rye, barley, oats, &ca. &ca. and *tobacco*, which latter article is raised in considerable quantities by slaves, as practised in Virginia, and latterly by particular permission is sent down to New Orleans.

The last *Census* of the people taken by authority in 1788 amounted to sixty-two thousand souls, including a much greater proportion of adult males, than is to be looked for in a common estimate of this nature, to which great additions have been since made, the writer having seen near five hundred persons at Limestone, who had just landed or arrived there in the course of two days the time of his stay, besides a constant influx of families he met travelling on the high road.

The *Militia* of the country is numerous, it being supposed that upon any emergency ten thousand men might be easily raised. Two Troops of horse are enrolled every six months, composed of fifty men, who patrole the frontiers of the settlement towards the Ohio to prevent Indian depredations; this militia regulated by the laws of Virginia, and the occasional organization of the convention, have often penetrated the Indian Country, and in the year 1783 fifteen hundred mounted militia under the command of Colonel Logan, made a sudden incursion, as far as the sources of the Miamis River, and burnt all the Shawanese towns, which brought them to within three days march of Detroit.

The *Inhabitants* of Kentucky are composed of men, who fled from the horrors of civil war, during the late convention, of a great number of military people, who were disbanded from the American Army, of families from the middle and southern states, and latterly by a number of Emigrants from the north of Ireland, so that this settlement may be said to consist of soldiers and husbandmen.

The *Convention* of Kentucky, whose authority, delegated from the people, is to continue until the year 1790, is composed of a number of representatives from the counties. The following are the *leading members*, vizt.:—Colonel George Muter, Chief Justice with a salary from Virginia, Major General Scott, Brigadier General Wilkinson, Colonel Levi Todd, Colonel Robert Todd, Colonel Robert Johnson, Colonel Robert Patterson, Colonel Marshall, Secretary of the Land Office. and Colonel John Campbell. It is unnecessary to mention the counties, in which they reside, as they are universally known in that country.

The congressional established *Troops*, under the command of Colonel and Brigadier General Harmar, are supposed to consist of eight hundred men, comprehending two companies of artillery attached to this corps, and they are in garrison from Venango in the east, on the north west of the Ohio, to Post St. Vincennes on the Ouabache, in the west, in the following manner, vizt.:—Brigadier Genl. Harmar at Fort Harmar, on the Muskingum, with five companies, Major Willis at the falls of the Ohio, with three companies, Major Doughty at Post St. Vincennes with four companies, and Captain Doyle at Venango, with two companies. The other two companies cover the new establishments commenced at the mouth of the Great Miamis or Rocky river, under Judge Symms, where they occupy a redoubt at the forks of Great Beaver Creek, the name of the Commanding Officer is not known at present.

They are supposed not to be defective in *Field pieces*, and have spare *Iron Ordnance* at Pittsburg, and Fort Harmar.

People of property on the western frontier of Virginia and Pensylvania must generally be interested in the fate of Kentucky; but until the effects of a correspondence, carried on by a private committee, between these settlements, are better known, many names of *the leading men* of that description cannot be given. Brigadier General Nevill, Colonel John Stephenson, of Pensylvania, and Major General Lincoln of the new colony at Muskingum, and even Judge Symms at the Great Miamis, are of opinion that their interest is inseparably connected with Kentucky.

The *Trade* of this country is now confined to the internal barter of its inhabitants, and the supply of the new emigrants, and lately to the exportation of flour and tobacco by special permits to New Orleans, and this intercourse will probably be increased through the medium of the colony establishing at New Madrid on the west shore of the Mississippi, opposite to the mouth of the Ohio, under the direction of Mr. Morgan.

The continued emigration from the Atlantic States, flowing from various causes, the result of the late revolutional war, must suddenly form very great and extensive Colonies upon the Ohio, its lateral branches, and the Mississippi, which will eventually open a field for a more extensive commerce, than what the northern parts of America have yet afforded, and consequently New Orleans must become, at no distant period, the great emporium of North America, and therefore highly worthy of the marked attention of the British Government, as a commercial and manufacturing kingdom.

Lacassang & Co., at Louisville, and Tendez vous, at Danville, are *mercantile houses* of note in the interest of France.

The latter carried on a trade from Bordeaux to the States, during the war, and are supposed once to have been prisoners at Halifax.

No. 12.—LORD DORCHESTER TO LORD GRENVILLE.

(*Canadian Archives, Series Q. 43–2, p. 623.*)

(No. 9.)

QUEBEC, 25th October, 1789.

SIR,

I inclose some communications, which I have received a few days ago.

I am with much
Respect and esteem
Sir,
Your most obedient, and
Most humble servant,
DORCHESTER.

The Right Honble.
W. W. GRENVILLE.

Conversations with Different Persons.

First.—You have passed a Revenue bill, I have not seen it, but am informed it has been greatly modified in your house; there are times, in which candour appears to me to be the best policy, and I am authorized to acquaint you, and the gentlemen in public office here, that had the Bill in question passed as sent up, from your House of Representatives with those discriminating clauses, which appeared in your public papers, we were prepared to meet it; a discretionary power is by an annual Act of Parliament, vested in the King in Council for such purposes, and the continuance of the indulgencies shewn to your shipping in our ports in Europe, depends upon your own conduct.

We greatly modified the Bill in question in the Senate. In both Houses, but particularly in the House of Representatives, there is a very warm party; in the latter, Mr. Maddison, a Delegate from Virginia took a very active and leading part, he is an eleve of Mr. Jefferson's, who is still our Minister at Paris, and may be esteemed as not exempt from a French bias; this gentleman pushed the discriminating clauses, with great warmth and spirit, and being a man of genius and talents, his exertions had a considerable influence in that house; their object doubtless was unfriendly to Great Britain, and favourable to France, but when the Bill came before us, the majority were too enlightened and too moderate, to approve such measures; they viewed the Act as a declaration of commercial war, which it was neither just nor wise to commence against a powerful nation, and they took infinite pains to collect from the best materials, within their reach (which indeed were very indifferent ones) the real condition of our shipping in your ports in Europe, and indifferent as these sources of information were, they furnished proofs of your indulgencies, to which the advocates for discrimination could not oppose any solid reply. From these exertions the Bill has been reduced into its present form; all the powers of Europe, without exception, stand upon a similar footing, and it appears to me, that notwithstanding the operation of the Impost and Tonnage Acts you will possess many great advantages from our consumption, and from the import of our raw materials.

It was an argument used by the party, who passed the Impost Bill, in the House of Representatives, as well as of those, who approved that measure in the Senate, that Great Britain would not be disposed to check the importation of raw materials, which she wanted, nor to impede so considerable a vent, as that which she found in our consumption, which is a great and an encreasing object for a trifling consideration, and that they might depend on it, she would not risk such objects for a moderate encrease of duties; but, if she did, it was better for the States to suffer a temporary inconvenience, to look out for such articles from abroad, as were absolutely essential, and to use every exertion to create manufactures at home, than to persevere in a ruinous system; these arguments are at least plausible.

Another object of great importance to you is now in agitation; a Committee has some time since been appointed to consider the situation of our shipping in the *American Islands*, and in *the Continent of North America, not within the dominions of the States;* that is in other words in your Provinces and in the West India Islands. This is doubtless pointed at you, and the majority of this Committee being composed of Gentlemen, who were the advocates for a Discrimination of duties, they made a speedy report, and wished to act on it; it had for its object, the *not permitting your shipping to clear out from our ports, either for your West India Islands, or for your Provinces upon this Continent, but the Senate thought it prudent to let the matter lay over until next session.*

With respect to General Washington I cannot pretend to determine from the conversations, I have held with him, whether his mind is perfectly free from a French bias or not, but the moderate and thinking party wish greatly for a commercial treaty with Great Britain, and nothing would facilitate this more than the admission of small vessels into your Islands under certain regulations.

With respect to the Senate I think I can assure you, that the majority of this body are in a disposition to enter upon the consideration of such a subject dispassionately; with regard to the House of Representatives, and to the public, I should still pause in deciding.

I am upon the point of making a tour through a part of New England, in the course of which I shall meet with several members of the Legislature will you give me leave to mention your communication to them?

By all means. For my own part I think the matter is in a narrow compass. Great Britain may think it an object to pass over the effects of the Impost and Tonnage Acts, for the sake of our consumption; we are considerable and encreasing customers, but to be sure, if she can command a market for her manufactures elsewhere on better terms, she may be expected to resent it.

The Sessions on the whole has passed smoothly, and a foundation has been laid, from which much future good will arise. I think the Legislature will meet in January, with an improving spirit of moderation.

In the adjustment of late pecuniary arrangements, previous to our adjournment of yesterday, it was proposed to empower the President to apply certain sums of money towards the payment of ministers abroad, should He judge it necessary to send any to Europe, prior to our next meeting in January, but the Senate objected, and the clauses for this purpose, which formed a part of a general appropriation bill for the year, were struck out. No minister will therefore be sent, and indeed, if one had gone to London, he would not have been a person of a disposition to promote those views of harmony and friendship between the two countries, which I have at heart; it would have been a second edition of Mr. Adams.

There has been a late application to Lord Dorchester, for the purpose of ascertaining the Longitude of a certain part of one of the Great Lakes, in order to determine a matter in contest between two of the States, to effect which it is necessary to come upon your territories. As to the idea of any application at this time, relative to the Western Forts, it is not founded.

I am naturally well disposed to the country in which I live, and however I may lament and condemn the dismemberment of a Great Empire, to the Government and principles of which I have ever been strongly attached, in the present posture of affairs I certainly cannot have any views or motives unconnected with the general good, but I do think that, in the hands of able and dispassionate men, a system might be formed to the advantage of both countries. To suppose that Great Britain should in any shape sollicit our commercial friendship is idle, and absurd; there are individuals, who profess such opinions, but the more enlightened part of the Senate hold them to be ridiculous; were this to be done I should be sorry for it.

I regret Mr. Jay's removal from the Department of Foreign Affairs, as he is a man of a just and firm character; his successor Mr. Jefferson I do not so much approve of.

North Carolina will join the union during the next Sessions. I think Rhode Island must follow shortly afterwards.

Second.—Having upon different occasions had the honour of conversing with you upon very important subjects, I wish to take the present opportunity to speak freely to you upon a point of some consequence, in which you are the more interested from being a member of the Upper House. Amongst other important Acts that you have passed during the present Session, there is a Bill which underwent a long and spirited discussion, which in consequence found its way into your news papers, and from there was reprinted in London. From the complexion of that Bill in some of its early stages, and from the language of many of the gentlemen, who debated it, it has been considered by us, as a mark of the disposition of the new Government, how it has been modified afterwards (for I have lately heard it has undergone a very considerable degree of alteration) I do not know, but if it had passed into a law with those discriminations, which it was originally stated to contain, I am authorized to say that it would have produced on our part, an immediate abrogation of those indulgencies which the shipping of the States enjoy in our ports in Europe. Our Cabinet regret this necessity, and will be guided by the conduct of the States in those respects.

Whilst you were without an efficient Government, and some of the local Legislatures adopted such measures, we did not take any steps whatever, trusting that the formation of a strong government here would lead to their repeal, but if one of the first measures of the present government had such objects in view, the case was materially altered, and certainly, if the States chose to mark commercial hostility to us, we were to lose no time in changing our system.

The discriminating clauses in question were greatly disapproved in our House, where the Bill was modified; and, as it passed into a law, leaves no distinction whatever between the different powers of Europe; and I can further assure you it was generally regretted by us that the nature of our treaties with France did not admit of our giving a decided preference to Great Britain; for my own part, my opinion is, that a firm connexion with you, is to be preferred to that of all the powers of Europe besides; the President wishes well to this principle, so does the Vice President, who is the Speaker of the Senate, and who, although from thence without a right to debate questions, did request leave to give his opinion during the discussion of this Bill; and I must say his sentiments gave me much satisfaction. The French Minister did exert all his influence upon this business, and marked no little dissatisfaction upon its failure.

As to our sending a minister to you, the President did apply for a general power to defray the Expences necessary for the support of ministers in Europe, should such a step be requisite before our next meeting in January, but the Senate being of opinion, that the extent of those appointments ought to depend upon the character of the men employed, and the nature of the objects, this command over the public purse was withheld.

Would you send a minister to us if we sent one to you?

Will you permit me to mention this conversation to ———— (see seventh) ——?

I cannot give you any answer to your first question; to the last I have not the smallest difficulty in saying, "by all means."

No person should be better pleased to communicate it to———

Third.—I have written to Lord Dorchester, about three weeks ago, upon the subject of an affair of Territorial Jurisdiction between Pensylvania and New York, for the adjustment of which it becomes necessary to ascertain the Longitude of the Southwestermost bend of one of the Lakes, which cannot be effected without going upon your territories; I hope it will not be objected to?

Sir,—I am persuaded of Lord Dorchester's general disposition to promote mutual harmony and the extension of science.

Fourth.—There is a hostile spirit existing with us, particularly in the house of Representatives, checked for the present, by the want of money, which compels them to submit to many things they would otherwise revolt at; but the produce of the impost duty is a great one, it is paid in gold and silver, there will be an accumulation and a saving, and, you may depend on it, the language and temper of the government will be actuated accordingly.

Commissioners are gone to negotiate a treaty with the Creek Indians, who are said to have fifteen thousand men, and are supported by McGillivray, who sets the power of the States at defiance; this man it is thought is supported by Lord Dunmore, or at least from his government. If the Commissioners do not succeed the States are determined to proceed against them with the utmost rigour and exertion, and as the Western Indians, particulatly the Wabash, continue to mark a similar spirit of animosity, they are considered to be excited by you, to which the possession of the Western Posts is thought to be greatly conducive.

The Indians pass through the whole western territory, and penetrate quite into Kentucky. To get these Posts from you, is, you may depend on it, a very favourite object, and nothing but the power is wanting to induce them to try it; I mean want of money.

A Lieutenant-Colonel Conolly, a half pay officer, who has been recently fixed at Detroit, with the appointments of a Lieutenant Governor, has penetrated through the Western Country, with a view doubtless to mark and try the spirit of the people; he found them nearly divided, and therefore in that respect was protected in his person from any public apprehension, but he found it requisite to escape from the dread of private assassination.

These things cause jealousy, and there is a large party of men in office in the States, who in their hearts aim at no less than the subversion of the British Power in North America, to the accomplishment of which they look wishfully forward.

The army to the Westward is not encreased this year, the officers are merely re-commissioned in conformity to the new constitution; but their present military establishment is considered as totally inadequate to the various services of that extended country, and I think they will be augmented next Sessions.

Fifth.—The Banks of New York and Philadelphia have lent the Government Fifty thousand Dollars each. The Impost is the the only present source of Revenue.

Sixth.—This Country is in general destitute of specie, and therefore whatever may be the disposition of the Federal Courts, or their decisions, English Creditors, cannot recover, what their Debtors do not at present possess. The emigrations to the westward injure the landed property excessively.

Pot ashes, Pearl ashes, and Flax seed, are good remittances to Great Britain and to Ireland, and they are therefore much attended to in the Eastern and middle States.

I was consulted during the discussion of the Revenue bill, and I drew up a paper, stating the comparative conduct of Great Britain, France and Spain towards the States, in commercial matters, and notwithstanding the flattering declarations of France it appeared clearly, that you were more essentially indulgent to us, than either of these powers; this paper a member of the Senate engrafted into his speech, and I think with effect.

The New Englanders are beginning to remark upon the high appointments annexed to the Executive Departments; upon the wages of the members of the two Houses, and upon their travelling allowances, termed "mileage," all of which they think too considerable.

The new Government depends altogether upon the produce of the new Impost and Tonnage Duties for its support, no direct taxation has been hazarded.

If any political measure should check the Exports from the Eastern and middle States to Great Britain and to Ireland, it would be severely felt by both.

Seventh.—I have requested to see you on this occasion from a wish to explain certain points relative to our situation, and from a desire to suggest a measure, which I conceive to be both for the interest of Great Britain and of this Country to adopt. We have lately established a Government upon principles, that in my opinion render it safe for any nation to enter into Treaties with us, either Commercial or Political, which has not hitherto been the case; I have always preferred a connexion with you, to that of any other country, *we think in English*, and have a similarity of prejudices and of predilections; I have been in the habit of considering this subject, we are a young and a growing Empire, with much enterprize and vigour, but undoubtedly are, and must be for years, rather an agricultural than a manufacturing people; yet our policy has had a tendency to suggest the necessity of introducing manufactures, which accordingly have made some progress in Connecticut, where cloth has been manufactured to some extent, leaving already a clear profit of between six and seven per cent. to the proprietors, and Pensylvania has gone further in her exertions in different branches. These and similar efforts are to no comparative extent, but doubtless their encrease will be proportioned to your conduct.

I am free to say, that although France has been indulgent to us, in certain points, yet, what she can furnish, is by no means so essential or so suited to us as your productions, nor do our raw materials suit her so well as they do you.

The Government of a country cannot altogether change either the taste or the disposition of a people, but its influence may check or cherish it.

We wish to form a commercial treaty with you to every extent, to which you may think it for your interest to go, Lord Lansdowne at the close of his administration had a plan of this nature upon a very broad scale indeed, and one which I do not think now attainable, considering the spirit of your late navigation and regulating Acts, as well as from various publications by persons of considerable weight in England; but when I view the rapid encrease of this country, its extent, taste and disposition, I do think a Treaty of Commerce might be formed upon terms advantageous to both countries; for unless this can be done, I know very well nothing of this nature can be effected, and Kingdoms so circumstanced, can have little friendly intercourse. I do think we are and shall be, great consumers, and I am of opinion, that it will be better for Great Britain to grant us admission into her Islands under certain limitations of size of vessels, so as merely to enable us to carry our produce there, and to bring from thence the productions of those Islands to our own ports, under such restrictions as to prevent the possibility of our interfering with your carrying trade in Europe, than by a rigid adherence to your present plan to produce a system of warfare in Commercial matters, which however encouraged by France in this Country, during the late Sessions here, with a view to promote coldness and animosity between the two countries, I have ever viewed with much regret, as being directly opposed to that system, which upon mature reflexion, I have thought it most eligible for us to pursue.

The present moment I view as particularly favourable for a plan of this nature. We are now so circumstanced as to be free to enter into a discussion of this sort, from our condition with regard to the other maritime powers; this may not be the case hereafter.

We have a matter of great importance to settle with Spain, I mean the navigation of the Missisippi; this is of the first moment to our territories to the west-

ward, they *must have that outlet, without it they will be lost to us.* As to your provinces to the northward, on that score there is no cause for jealousy; it never can be our interest to extend our possessions in that quarter, even if we had the power; our country is already sufficiently large, more so perhaps than prudence might wish, as its extent tends to increase our difficulties in certain points, and to weaken our Government. It is also a consideration not unworthy of your attention, that as we may become considerable in half a century or in less, if we are under the necessity of connecting ourselves with the House of Bourbon, such a connexion, in that event, may become important to your West India possessions. On the other hand, connected with you, by strong ties of commercial, perhaps of political, friendships our naval exertions, in future wars, may in your scale be greatly important, and decisive. These are my opinions, they are the sentiments, which I have long entertained, on which I have acted, and I think them suited to the future welfare of both countries. I am not sufficiently authorized to say so, it is not in my department, but I am inclined to think a *person will soon be sent to England to sound the disposition of your Court upon it.*

SIR,

I have mentioned to.....(see second) what would have been the effect of your Revenue Bill, had it passed in the form in which it appeared from your Prints, with those discriminating clauses, which undoubtedly were levelled at us..... He requested my permission to communicate this to you, and I believe I may conclude that this conversation arises from that source.

It does.

I thought it consistent with the spirit of that communication, not to with hold it, notwithstanding the modification, which afterwards took place, although I can give no opinion whatever, as to the effects, which it may produce, under its present form, nor to the light in which we may view it at home. I speak very freely to you, but you will of course readily comprehend, that now, this is merely private conversation.

Certainly, and in your situation mine cannot be esteemed anything more, although I can assure you, that the ideas I have thrown out, may be depended upon, as the sentiments of the most enlightened men in this country, they are those of General Washington, I can confidently assure you, as well as of a great majority in the Senate.

If I understand the Revenue and Tonnage Acts, you have placed us precisely upon the footing of every other foreign nation; during the discussion of this bill you doubtless took it into your consideration, the condition of your shipping in our Ports in Europe, and you would naturally compare it with that of other Foreign Shipping; you would then Judge whether we had been hostile to you, or not; now I beg leave to put a case, if, in consequence of your late regulations, we should place you exactly upon the footing of other foreigners in our ports, would it appear an unfair procedure?

Surely not, every nation has a clear right, as you remarked, to regulate its own commerce.

Another thing that strikes me, as the real views of communities, as well as of individuals, are rather to be gathered from their conduct than from their professions, it is not unnatural to suppose, that, prior to the entering upon the discussion of a

future Treaty we may think it reasonable to settle any matters that may be supposed to respect the Treaty of Peace, still unadjusted.

Certainly, this is proper on both sides. There are two points only that occur to me as being complained of. The one, the Tender laws, and their effects, I consider to be done away by the present Government, which has paid the most particular attention to this in the formation and establishment of its Judiciary branch; the District Courts will be in immediate operation; the supreme court very shortly. The other regards the Confiscation Acts. I have seen the original document, it was wholly recommendatory, and the confiscations that have taken place since the peace have arisen rather from mistakes, than intention, their amount is comparatively nothing.

There has been I acknowledge a spirit of animosity and rancour, in many instances, which I greatly condemn, but this however uncreditable, I do not believe will amount to an infringement.

On our side there are also two points still unadjusted, the *Western Forts and the Negroes*, although, as to the latter, I always decidedly approved Lord Dorchester's conduct on that occasion, he could not do otherwise. To have given up these men to their masters, after the assurances of protection held out to them, was impossible, and the Reply of your Cabinet to our application on this subject was to me perfectly satisfactory.

You have mentioned its being your intention to send a person to learn our disposition upon certain points; you are indubitably the proper Judges of the qualifications and disposition of the gentleman to be employed in the business. I beg leave however to suggest, how much such a measure may be promoted, or impeded, by the predilections, possibly by the prejudices, of an individual so circumstanced. If his mind should have any bias towards any other foreign power, such bias might altogether frustrate the objects of his mission.

Undoubtedly, we have not in some former instances been exempt from this sort of inconvenience, to which the manner of naming to public appointments under our old government not a little contributed.

The case is now altered, these nominations originate with General Washington, who is a good judge of men, and the gentleman, to be employed in this business, is perfectly master of the subject, and if he leans in his bias towards any foreign country, it is decidedly to you.

As you have done me the honour of mentioning to me the turn of party, during your late Sessions, I cannot avoid saying that I was much surprised to find amongst the gentlemen who were so decidedly hostile to us in their public conduct, the name of a man, from whose character for good sense, and other qualifications, I should have been led to expect a very different conduct.

You mean Mr. Maddison from Virginia. I confess I am likewise rather surprised at it, as well as that the only oppposition to General Washington was from thence. The truth is, that although this gentleman is a clever man, he is very little acquainted with the world. That he is uncorrupted and incorruptible I have not a doubt; he has the same end in view that I have, and so have these gentlemen who act with him, but their mode of attaining it is very different. You have I take it for granted seen our Debates?

I have them, but have not read them. Your observation of the manner of attaining the object, you profess to have in view, leads me to remark, that I cannot think Commercial Hostility with us, the mode to obtain Commercial Friendship. From what I have heard you say with respect to Mr. Pitt, and to our Cabinet, you will not wonder when I tell you, that their plan has been evidently to hold the nation

high, in the opinion of the world, and they have accomplished it. You cannot suppose, that those who follow up such a system will be influenced by compulsory measures. Upon such minds their tendency must be diametrically opposite. The purposes of national glory are best attained by a close adherence to national honour, alike prepared to meet foreign friendship, and to repel foreign hostility.

Beyond all doubt, these are sentiments that do honour to any nation; and I make no scruple to say, that both before I came into office and since, I have acted under that impression. Whilst the Revenue and Tonnage Bills were under discussion, I was decidedly opposed to those discriminating clauses, that were so warmly advocated by some gentlemen. I was at pains to obtain information from our mercantile body here upon this subject, who with a few exceptions were against every species of distinction, upon the principle that it would be productive of a war of commerce, and in as far as I could judge by their communications, there are certain indulgencies, which our shipping enjoy in your ports in Europe. If the effect of our regulations determines you to place us precisely on the footing of all other foreign powers, we have not from that measure the smallest ground for complaint, nor, as it appears to me, would the alteration be very momentous to us. I cannot recollect that there is anything in the Impost Act, which marks a preference to any other Foreign Power, when put into competition with you, possibly some very trifling difference between French brandies and your West India spirits.

I think I clearly comprehend the scope of the communication that you have been pleased to make to me. Pray what use do you intend me to make of it? Is it with the view of my mentioning it to Lord Dorchester?

Yes, and by Lord Dorchester to your Ministry, in whatever manner His Lordship shall judge proper; but I should not chuse to have this go any further in America.

I am desirous to know your intentions accurately upon this particular point, as you are the judge of the extent of your confidence.

This is very delicate in you, and I have been anxious to hold this conversation with you from the opinion that I have always had of your character, and from my conviction that Lord Dorchester would not honour any man with his good opinion and friendship, in whose integrity every confidence might not be placed.

If the present favourable occasion shall pass away, and a system of commercial warfare shall take place, it may lead to the adoption of another idea, in the contemplation of gentlemen, who are advocates for discrimination, and which did not respect a tonnage or Impost duties, but had in view *a much stronger measure.*

N.B.—He did not say what it was, but I understood it to mean the idea of shutting their ports to our shipping, that might wish to clear out either for our possessions in North America, or the West Indies, with lumber, provisions &c.

I have understood that there has been some difficulty lately with respect to our packet. I hope it is settled?

The matter has been somewhat misrepresented. The fact was, the Collector of the Customs at this port had applied to me to know in what light he was to consider your Packet, the Act passed by our Legislature during the summer having left that point unsettled, the law of Nations exempted Men of War from such duties undoubtedly, but it became requisite to know officially whether your Packet was a King's ship, or not, and the result of the Inquiry has been, that she was so, in every

respect, that the Captain held a Commission under your Admiralty Board, and was debarred from commerce. The matter therefore is settled.

N.B.—The French Government have re-established packets to New York but they are merchant vessels, come out occasionally with goods and with certain allowances for carrying the letters or Government dispatches. These are therefore obliged to clear at the Custom house, and consequently subject to the effects, both of the Impost and Tonnage Acts. They are small vessels.

Eighth.—The State of New York has appointed Commissioners to ascertain their boundaries with Vermont, who on their part have also named Commissioners. Those for New York are General Schuyler, Mr. King, Mr. Ranssaeler, Mr. Benson and other gentlemen. They have not yet met.

Ninth.—In consequence of certain determinations in the Federal Government Overtures have lately been made to us to join the American Union, under certain stipulations, the principal one of which is that we should pay our share of the debt, incurred during the late war.

There are other difficulties relative to boundaries, as well as upon various points, with respect to which there are different opinions, yet they are, I think capable of an adjustment. Upon the subject of the debt the objection is universal, yet we confess we are not able to resist the whole power of the States, if they shall unite in compulsory measures, so that on this point there is at present great apprehension with us. The State of New York singly we are more than a match for.

N.B.—By comparing his language now and thirteen months ago I observe evidently, that he speaks of the strength of Vermont with less confidence and of the power of the States with greater apprehension.

No 13.—THE DUKE OF LEEDS TO GOUVERNEUR MORRIS.

(*Canadian Archives, Series Q., Vol.* 44–1, *p.* 95.)

WHITEHALL, 28th April, 1790.

SIR,

I should not have so long delayed returning an answer to the letter you received from General Washington, which you had the goodness to communicate to me last month, had I not heard you were in Holland. I received some time ago a note from you, which I should sooner have acknowledged, but was at first prevented by a multiplicity of engagements and since by illness.

The two subjects contained in General Washington's letter are indisputably of the highest importance, and I can safely assure you it has ever been the sincere and earnest wish of this country to fulfill her engagements, (contracted by the Treaty of Peace with the United States) in a manner consistent with the most scrupulous fidelity.

We cannot but lament every circumstance which can have delayed the accomplishment of those engagements (comprized in the treaty) to which those States were in the most solemn manner bound; and should the delay in fulfilling them have rendered their final completion impracticable, we have no scruple in declaring our object is, to retard the fulfilling such subsequent parts of the treaty as depend entirely upon Great Britain, until redress is granted to our subjects upon the specific points of the treaty itself, or a fair and just compensation obtained for the non-performance of those engagement on the part of the United States.

With respect to a Commercial treaty between the two countries, I can only say that it is the sincere wish of the British Government to cultivate a real and *bona fide*

system of friendly intercourse with the United States, and that every measure which can really and reciprocally tend to produce that object will be adopted with the utmost satisfaction by Great Britain.

No. 14.—GENERAL WASHINGTON TO GOUVERNEUR MORRIS.

(*Canadian Archives, Series Q., Vol.* 44-1, *p*, 93.)

NEW YORK, 13th October, 1789.

SIR,

It being important to both countries that the treaty of Peace between Great Britain and the United States should be observed and performed with perfect and mutual good faith, and that a treaty of commerce should be concluded by them on principles of reciprocal advantage to both, I wish to be ascertained of the sentiments and intentions of the Court of London on these interesting subjects.

It appears to me most expedient to have these inquiries made informally by a private agent and understanding that you will soon be in London, I desire you in that capacity, and on the authority and credit of this letter, to converse with His Brittanic Majesty's Ministers on these points, viz.: Whether there be any and what objections to now performing those articles in the treaty which remain to be performed on His part; and whether they incline to a treaty of Commerce with the United States on any and what terms.

This communication ought regularly to be made to you by the Secretary of State, but that office not being at present filled, my desire of avoiding delay induces me to make it under my own Hand. It is my wish to promote harmony and mutual satisfaction between the two Countries, and it would give me great pleasure to find that the result of your Agency in the business now committed to you will conduce to that end.

I am, &c.,

G. WASHINGTON.

Gouverneur MORRIS, Esq.

No. 15.—GOUVERNEUR MORRIS TO THE DUKE OF LEEDS.

(*Canadian Archives, Series Q., Vol.* 44–1, *p.* 97.)

COVENT GARDEN, 30th April, 1790.

MY LORD,

I was honoured by your Grace's letter of the twentyeighth, late last Evening, and take the earliest opportunity to acknowledge it.

Be assured, my Lord, that I regret much the Indisposition which suspended your answer, and sincerely wish that it may be speedily removed.

I am happy to be assured by such respectable authority, "that it has ever been "the sincere and earnest wish of this country to fulfill her engagements with the "United States in a manner consistent with the most scrupulous fidelity." This indeed has never admitted of question in my mind, because I could not have a Doubt of the National Faith of Great Britain, and I have the Pleasure to observe to you my Lord that sentiments of this kind induced the Congress at their last Session to reject by a Considerable Majority some regulations which might have appeared hostile and proved injurious to your Commercial interests. I am perfectly convinced from this and from many other circumstances, that the United States have a Constant determination to perform in the fullest manner every stipulation which they have made; for this is not only in itself a moral duty peculiarly binding upon every Sovereign power, but it is especially secured by that Constitutional Compact which the people of America have made with each other. Since both Parties therefore

have the best dispositions and are influenced by the present motives, I indulge, My Lord, the hope that every obstacle to a complete performance will be speedily removed. And in this hope without going into an enquiry as to the causes of former delay, which might not perhaps tend towards Conciliation, I must intreat of Your Grace's goodness to be informed in what respects & to what degree you consider the final completion of those engagements to which the United States were bound, as having been rendered impracticable, for I must own that the idea is new to my conception. The candour with which Your Grace avows the intention to retard a fulfillment of such parts of the treaty as depend upon Great Britain meets, as it merits, my utmost acknowledgments. I am very far from questioning the policy, nor will I presume to doubt the propriety of a caution which is, I trust, unnecessary, and which might indeed be unpleasant to the feelings of America if they could be affected with punctilious sentiments in the discussion of national interest. But it becomes my duty to ask of you, My Lord, the nature & extent of the redress expected for your Subjects upon the specific points of the treaty, and in the supposed case that this should have become impracticable, the kind and the measure of compensation to be required from us as preliminary to the fulfillment of those stipulations which remain to be fulfilled by you.

I trust that I am mistaken in that part of Your Grace's letter which relates to a commercial treaty, because it really appears to me as expressive only of the wish to cultivate merely an amicable intercourse founded on commercial good faith, and implying some disinclination to the securing of that intercourse by the force of treaty. I should be very unhappy to convey a false interpretation of the sentiments of this Government upon an object of such importance. This might be prejudicial to both countries, and therefore I shall indulge the expectation that if I am wrong Your Grace will have the goodness to set me right.

With perfect respect, I have the Honor to be,
My Lord,
Your Grace's most obedient humble servant,
GOUV. MORRIS.

His Grace
The Duke of Leeds.

No. 16.—MR. GRENVILLE TO LORD DORCHESTER.

(*Canadian Archives, Series Q, Vol. 44–1, p. 84.*)

(No. 22, Secret.)

WHITEHALL, 6th May, 1790.

MY LORD,

In consequence of the discusions which have arisen between His Majesty and the Court of Spain relative to the capture of some British Vessels on the North West Coast of America, & His Majesty having received information of armaments in the ports of Spain has judged it necessary to give immediate orders for augmenting His Forces.

I trust that the issue of this business will be such as to correspond with His Majesty's sincere desire for the maintenance of peace consistently with the preservation of the Honour of His Crown, and the essential interests of His people. But as it is possible that this business may take a contrary turn, I have thought it right that Your Lordship should be apprized of it as early as possible.

It is I think extremely improbable that any attack will be made by Spain in the present circumstances on any of His Majesty's North American Dominions. But it is evidently to be apprehended that the existence of a war between this country and Spain will give encouragement to the United States to demand the Cession of the Forts on the Frontier of Canada. And it is possible that by holding out to them

a prospect of obtaining this favourable object, the Court of Spain may be able to induce them to take an active part in the War. As this is a point of the utmost importance to the British interests, I am persuaded that Your Lordship will feel how necessary it is that His Majesty should have in that part of His Dominions a person to whose experience, talents and character He may look with confidence for such a line of conduct as may be necessary to protect the whole of the remaining British Empire in America, and that Your Lordship will therefore readily be induced to relinquish Your wish of returning to Great Britain this season.

The necessary arrangements for the defence of those of His Majesty's possessions which are more immediately exposed to attack either by Spain, if she should find herself in a condition for offensive operations, or by France, if that Country should be induced to become a party in the war, make it very doubtful whether any reinforcement of troops can be sent out to North America this year. As Your Lordship is empowered by an Ordinance of the Province to embody such part of the Militia as shall be necessary, you will of course on receiving accounts of the commencement of Hostilities, of which I shall not fail to give Your Lordship the earliest intelligence, take measures for doing this as far as the circumstances of your situations may appear to require, and considering how large a part of the Inhabitants, particularly in the Upper Country, were in arms during the American War, I should hope that this might soon be made by Your Lordship's exertions an useful and efficient force.

I am, &c.,

W. W. GRENVILLE.

No. 17.—MR. GRENVILLE TO LORD DORCHESTER.

(*Canadian Archives, Series Q., Vol.* 44-1, *p.* 87.)

(No. 23, Secret.)

WHITEHALL, 6th May, 1790.

MY LORD,

The Friendship of the Inhabitants of Vermont would under the circumstances of any alarm from the side of the United States, be of the greatest importance, and Your Lordship's attention cannot be too much directed to this object. I have had some communication with Mr. Levi Allen who has been sometime in this country with authority to treat on their behalf for commercial arrangements. I find that the principal article to which they look beyond those advantages which are granted to them by the measures which Your Lordship has already adopted, is the permission to export flour from Vermont into the Province of Quebec. Your Lordship must be the best Judge how far this permission would in any material degree be prejudicial to the interests of the province, or of any number of Individuals in it; and for that reason I forbear giving any decided opinion upon it, though I am strongly inclined to think that if this concession could be the means of attaching the people of Vermont sincerely to the British interest, it would, under the present circumstances, be expedient to make it. I am, however, fully persuaded that Your Lordship will give to this subject the attention which it deserves, and that you will neglect no proper steps for ensuring so considerable an accession of strength as that which we should derive from the friendship of Vermout. Such encouragement has been given to Mr. Allen as will I hope dispose him to exert any influence which he or his connexions may possess in whatever manner Your Lordship may think proper to direct it.

I am, &c.,

W. W. GRENVILLE.

No. 18.—MR. GRENVILLE TO LORD DORCHESTER.

(*Canadian Archives, Series Q., Vol.* 44-1, *p.* 89.)

(No. 24, Secret.)

WHITEHALL, 6th May, 1790.

MY LORD,

In addition to what I have said in my letter No. 22 of this date relative to the possible inducements which Spain may hold out to the United States to prevail upon them to take a part against Great Britain in case of war, I think it right to transmit to Your Lordship the enclosed copies of a communication made by Mr. Morris to His Grace the Duke of Leeds and of the answer given to it by his Grace.

This communication coming from Genl. Washington however vague and inexplicit it is, seems however to indicate some disposition on the part of the United States to cultivate a closer connection with this country than has hitherto subsisted since their separation from Great Britain. Although it was necessary in the first instance in answer to Mr. Morris's Letter to hold a language of firmness, which should point out the non execution of the Treaty on the part of America, and the inadequate return made for the liberal manner in which they have been treated in point of commerce, it will certainly be our object to establish, if possible, a greater degree of interest than we have hitherto had in that country. Your Lordship will of course endeavour to find the means of sending proper persons who may though not authorised by any public commission, forward this object, and at the same time be able to give to Your Lordship the earliest information of hostile designs, if any such should be meditated against the forts or against Canada itself.

I conceive that it would by no means be impossible to turn the tide of the opinion and wishes of America in our favour in case of a contest with Spain on the business now in question. The right which Spain has asserted is exclusive against all the world, against the United States as well as against any European powers: And the Fur trade from the North West Coast of America may become a valuable accessory and assistant to the China trade in which the Americans have already embarked extensively. The object which we might hold out to them, particularly to the Kentucke and other Settlers at the back of the old Colonies, of opening the Navigation of the Mississippi to them, is one at least as important as the possession of the Forts, and perhaps it would not be difficult to shew, that the former is much more easily attainable with the assistance of Great Britain against Spain, than the latter is by their joining Spain in offensive operations against this Country. I throw out these ideas to Your Lordship fully persuaded that you will omit no opportunity of improving them as far as circumstances will admit. It will be very material with a view to future arrangements that I should be apprized as early as possible of what appears to be the disposition prevalent in America on this subject.

I am, &c.,

W. W. GRENVILLE.

No. 19.—DORCHESTER TO MR. GRENVILLE.

(*Canadian Archives, Series Q, Vol.* 44-1, *p.* 252.)

(No. 27.)

QUEBEC, 27th May, 1790.

SIR,

I enclose some further communications in continuation of No. 9.

In the beginning of February a vote passed the House of Representatives to raise five thousand foot and sixteen Companies of Artillery of sixty men each, in addition to the existing Establishment on their Western frontier.

The number originally proposed is said since to have been reduced in the Senate to three thousand men, exclusive of two regiments of six hundred and forty men each, destined for Georgia, and two Companies of Artillery already sent to that quarter to oppose the Southern Indians.

It must be observed, that in case of emergency considerable detachments of their Militia may be brought into the field to cooperate with these regular forces.

I am with much respect and esteem, Sir,

Your most obedient and, most humble servant,

DORCHESTER.

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1. "I am directed by Lord Dorchester to thank you for those expressions of civility which you were pleased to use with respect to him, when I had the pleasure of seeing you in Autumn, and for the confidence you reposed in His Lordship, in the communications made by me upon that occasion, they have been transmitted home, and although the delays incident to the Season of the year have not hitherto enabled His Lordship to hear from Great Britain in reply he has judged it necessary to defer expressing his approbation of the principles, you then laid down, "*that it is expedient "that a solid friendship should be established between the two countries.*" I am desired to explain this to you, and to remain a short time here, in case any information from home, subsequent to my leaving Quebec, may enable His Lordship tothrow further light on this subject.

I am happy to find that Lord Dorchester's sentiments are in favour of that general principle, which I hold to be so evidently compatible with the welfare of Great Britain and of this Country * * * * * * * * * * My communications with you, you will of course always consider to be informal; but on this particular point I think I speak the sentiments of the majority of those, who are to conduct the affairs of this country; as to my own part my ideas naturally extend to objects, which I hold to be favourable for the general interests of the States, in which view I contemplate a connexion with you, and further than they may have that tendency, I certainly should not go, but with us different gentlemen may view this matter in different lights; the President of the United States I am inclined to think considers this subject in a favorable one. Mr. Jefferson, the Secretary of State, who lately returned from Paris on his private affairs, the condition of France not requiring his presence, and who did not know of his appointment until his arrival in America, is of opinion, that the struggle for freedom in that country will be successful, and when completed, that it will be productive of great commercial benefits to the States, from the influence of the Marquis de la Fayette, who is greatly attached to this country, as well as from that general bias, which those, who guide that party, have always shewn towards us.

Expressions of personal civilities omitted.

From these considerations I am the more strongly disposed to view the present time as particularly favorable for the consideration of a Commercial Treaty.

As to Spain no doubt the navigation of the Mississippi does attract the attention of discerning men with us, and it is looked forward to as the probable source of coldness, possibly of difference with the court at a future period, but it does not appear to me, that it could come under immediate consideration. With regard to your court having a Minister here, I am clear that would be a measure, which would give general satisfaction, the particular rank might depend on the pretensions of the gentleman in question for that station; high appointments in our situation would not be thought eligible; I am not versed in diplomatic distinctions, but am led to think that a Minister Plenipotentiary is of a scale adequate for the purposes of both countries, concluding that a parity of rank would be proper for each.

"I am authorized further to say that it is for your consideration whether in the present stage of this business you may judge it expedient to make any further communications to Lord Dorchester."

I cannot at this moment determine whether it may be proper to communicate further with Lord Dorchester on this subject, or to carry it forward through a regular official channel.

Mr. Jefferson arrived last night, and these matters are in his department. Pray how long do you intend to remain here?

"Until about the middle of April."

It is probable that before that time I shall have it in my power to give you some information on this point.

We observed a paragraph from a London paper, that mentions Lord Hawkesbury and Mr. Grenville being engaged in the framing of a Commercial Treaty with us, pray in what official station is His Lordship?

His Lordship has presided at a Committee of the Privy Council for Commercial Affairs.

In continuation.

Nothing has happened since I had the pleasure of seeing you, to render it requisite for me to change my opinions on the different subjects touched upon in that conversation.

A Treaty of Commerce with Great Britain is generally wished, and the full consideration of the subject is desirable.

The reciprocal appointment of Ministers is also very agreeable, the particular grade is a secondary consideration, and may be readily accommodated to the mutual convenience of both countries.

N.B. Mr. ..... added something with respect to the States having sent a Minister to our Court, which we had never acknowledged, and hinted, as if it was expected, that it was for us to make the first offer; I replied that the condition of the States at that time had been such, as to have rendered it impracticable for a Minister from *us* to have remained at New York, and if otherwise, from the nature of their then Government he could have been of no service.

In continuation.

"I have requested to see you as the time is drawing near when I intend returning to Quebec. I conceive it to be necessary and not improper for me to remark that I take it for granted, the different communications you have been pleased to make to me, flow from that source, which under your present Government, is alone competent to make them."

I am not authorized to say to you in so many words, that such is the language of the President of the United States; to a gentleman, who has no public character such a declaration cannot be made, but my honor and character stand implicated in the fulfilment of these assurances. The gentlemen at the head of the different departments may not have precisely the same way of thinking on all public concerns, I therefore speak with the greatest caution on all points in which they have a direct share, but where it respects the President to whom this must have reference, I can say this, that his mind is perfectly free from any bias whatever on this subject, and

that he is ready to go into the discussion of everything unsettled between the two Countries.

"If I comprehended you the last time I had the honor of seeing you, you suggested some difficulty in the appointment of a Minister to us."

Yes, I did so, we have had a Minister at your Court, you did not send one in return, we should find a difficulty in taking the lead again in such a nomination.

"I am sorry to observe the disputes upon your north-east frontier relative to the boundary and the publications in your newspapers on the subject."

Yes, that matter ought to be settled as soon as possible, as some accident may possibly happen.

"It is to be hoped, that your Government most interested in this matter (Massachusets Bay) will not become intemperate."

I think it right to remark to you in this place, that a degree of moderation and good sense, has been conspicuous in the conduct of the Eastern Governments since the peace, which has not been equally so, to the Southward of Pensylvania, at the different periods, in which I have been a member of Congress under the late Constitution; I have had frequent occasions to observe this, and at first I acknowledge with some surprise; cool, plain good sense, determines their decision without either animosity or partiality; it is not so much so, I am sorry to say to the Southward, and I have been frequently led to consider the cause; I am inclined to think that the sentiments of one or two gentlemen in the Southern States, whose characters give them influence, has led to this, they have been esteemed men of superior capacity, and certain causes have induced them to keep alive distinctions neither wise nor proper; but these persons are not at present in office, and possibly the private circumstances of too many of our Southern planters, and their dread of the operation of the federal Courts, may also have an influence.

"As enthusiasm cannot suppose that with respect to *us*, there exists the smallest necessity to compel the consideration of commercial subjects, with the States and however embarrassed you may still continue in many respects, as candor must admit, that your situation is better, than it was two years ago. I should hope if there shall be any discussions on this subject they will be entered upon with temper and candor."

It is the duty of every man in office to do so; we have still much to do but the foundation is laid and our difficulties are chiefly owing to ourselves, it will require time, but in the course of things we must become a very considerable people.

I have ever thought it undesirable that we should be *courted* by one power in Europe only; I do not mean this in the common acceptation of the word, but that our connexions should be more extended.

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1. There are two parties in our Legislature, both have it in view to form a friendly connexion with Great Britain, differing in their ideas as to means; the one is desirous of very moderate measures on our part, and the shunning everything that

may wear the appearance of commercial warfare, observing that although Great Britain has excluded us from her American and West India possessions, yet that she has granted us certain advantages in her ports of Europe, that in Asia she treats us with kindness, that hers is the best market for our exports, and that, if we are intemperate we may naturally look for an alteration in these points; the other is of opinion that prompt and spirited resolutions are best calculated to effect this purpose and that the interests of the States essentially require them. These gentlemen think that in placing all the maritime powers of Europe under similar restrictions, and treating their shipping in our ports precisely as they treat ours in their American and West Indian possessions, or in excluding them from ours, if they shall continue to exclude ours from theirs, the States in such a struggle will have the best of it; for one of two things must happen, either some European power will give way in order to form an advantageous treaty with us, to the disadvantage of the others, or if not, we shall consume less in future, set seriously about the introduction of domestic manufactures and take our chances for a market for our raw material. Such is the language of the two parties; which may finally preponderate I cannot tell, but those who are the advocates for strong measures carry with them an air of popularity.

We have many important points to discuss during the present Sessions, respecting our internal finances, and I doubt whether any steps will be taken by the Legislature upon the foregoing subject. A Commercial friendship with you is I am persuaded very generally wished; but I think the great difficulty in the way is, that your navigation Act is so very important to your naval greatness, that you will not be disposed to break through so essential part of it, as to give us a share in your West India trade, and this is what we want. I have not a doubt, but that the Federal Courts will give the most perfect satisfaction in their proceedings, yet I am sorry to say, that your creditors must unavoidably lose great sums, many of their debtors having little to pay; I hope however in many instances that the creditors are in possession of the paper securities, which altho' low at the time they got them, have had a great rise lately, and may be expected still to increase in their value; it is remarkable that the present Chief Justice (Mr. John Jay) was the Minister for foreign affairs, who reported the various infractions of the Treaty of Peace, by the State Legislatures, and is it possible to suppose, that what he openly acknowledged in his political character, will not equally affect his decisions on the Bench, either in trials at law or in equity? for the powers of the Supreme Courts are those of your Courts of Chancery, King's bench and Exchequer; it unites the whole; we wished to have them distinct for obvious reasons, but when we formed our present Government it was not practicable to effect it, from some of the States having been wholly unused to a Court of Chancery, and having imbibed very false ideas on this point.

Our boundary with you to the Eastward is a subject of difference, and has been so for years past. Mr. Adams when in London presented Memorials on this subject, two of our Commissioners, who signed the Treaty of Peace, being in this Country, they were called on by the late Congress to declare, which was the real boundary, they said, that Mitchel's map lay on the table, in which one River Saint Croix only is laid down, that the late Mr. Oswald retained this map, on which as they think some traces were made, and they say, that the river nearest to the river St. John's was in contemplation. At that time, and with respect to the Islands, the Treaty expresses, that all such as are within a given distance of the coast, shall follow the fate of the boundary line, excepting they shall have been previously granted by Nova Scotia; they are valuable for the Fisheries, but I am inclined to think that on an investigation, they will be found to have been so granted.

I have inquired into the extent and nature of the land in dispute, and from the best information I find, that the distance between the two rivers bearing the same name does not at their mouths exceed Ten miles, but increases considerably as you ascend them, being an object of one hundred and twenty townships each of six miles square, a large proportion of which is good land.

The boundaries to the southward are also in contest with Spain; the conduct of this Court since the peace has been so marked by want of plan and system, that we

are quite at a loss to know her real intention; she first of all would not suffer our western people to navigate the river Mississippi; latterly Mr. Wilkinson, a man of consequence in that country, and formerly a General Officer in our Army, has made a contract with the Intendant at New Orleans, in consequence of which he has permission to store and to sell his exports; how long this indulgence may last I cannot tell; for the present it gives much satisfaction, but our people will not rest contented until they shall acquire a port of their own on the Mississippi, by the means of which they may trade with the rest of the world, as the Atlantic States do.

The opposition of Rhode Island to the present Confederation is founded in dishonesty, they want to cheat all the world by depreciated paper money.

We shall probably increase our military establishment this spring, in order to protect Georgia, and perhaps to carry on the war against Macgillivray and the Creek Indians; our Commissioners could have settled the matter with that tribe last summer but he would not hear of it, his views extend to Commercial objects, and to the establishment of a free port he is a man of ambition, and has formed a plan in conjunction with a Spanish house, in which a house in London has a share, as to our adopting any hostile measures against You, or with a view to seize the Forts by Arms, I can assure you it is not in our contemplation at present; there may be individuals in the house of representatives who have such wild ideas, but I do not think there is a single member in the Senate who would not reprobate such a proceeding, *and without our Approbation no such measure can be undertaken.*

We know that you have put the Forts in repair.

Our Western territory requires Troops for its Security, and the hostile disposition of certain Indian Tribes, those of the Wabash Nation particularly render this more necessary.

In Continuation.

Mr. Jefferson considers the revolution in France as compleated, and he declares it will be productive of great benefits to the States, he is greatly too democratic for us at present, he left us in that way, but we are infinitely changed, and he must alter his principles;—I think this Gentleman's ideas are not friendly to the formation of a commercial treaty with you, nor are those of Mr. Adams our vice president more so, although from very different reasons, otherwise things go on well: in the consideration of this subject in this country, Mr. Jefferson would become the official minister, this would be an unfavorable channel, we are poor, and expensive appointments will not answer the condition of our finances. Will you send us a Minister? perhaps we shall not wish to send a second time without assurances of this nature, or your taking a lead in it, it would be a popular measure and tend greatly to set everything in motion in a good humoured way.

In Continuation.

The idea of opening free ports in the Bahama and Bermuda Islands has been mentioned for sometime. At first we thought it very desirable, but it has occurred lately, that it will affect the price of the articles shipped from our ports, as there must be a double freight, the fact is we would rather carry to the West Indies.

We have ideas of insular possessions, two of our East India men fell in with two Islands on their voyage to China, which they think were never discovered before, but they did not take possession of either.

In Continuation.

T' present period is infinitely more favorable for the consideration of every matt' nsettled between us and Great Britain, as well as for the contemplation of a

treaty of commerce, than any that has preceeded it; I am however still doubtful how far our demands may not exceed the value of our consumption.

To narrow the idea as much as possible, we on our part have to say, we will lay a heavy duty on your imported productions, say fifeen or twenty per cent for instance advalorem, and we will prohibit British ships from clearing out at our ports excepting to Great Britain or Ireland; with these restrictions we will come to market; this we have to give up for the freedom of navigating to your islands, or possibly a qualified freedom.

I think a dispassionate investigation might fix this great matter to the common advantage; but there are difficulties.

You are a great manufacturing people, we wish to be a manufacturing people, you have an immense carrying trade which is the source of your greatness and naval power, we also wish to have a share in this trade, we have the materials for shipping, seamen in abundance and enterprize, but to think that you will cut away the prop of your own grandeur or touch it lightly is unreasonable and absurd.

The President in his heart leans to France, his obligations to that Court he can never forget.

Mr. Jefferson is a republican and a frenchman.

Mr. Maddison who is in great favor with the President, is still more partial to a French Interest.

I think if a minister shall be sent from us to you, especially if charged with extensive powers for specific purposes, the choice may be looked for in a narrow compass. Mr. Adams, Mr. Jay, Mr. Hamilton, Mr. Jefferson, Mr. Maddison, General Knox or perhaps Mr. King, although this gentleman would have been more likely to succeed to such an appointment a year ago, than at present.

If *Mr. Adams* should be the person, I am sure things would not go well.

If *Mr. Jefferson* I should fear it.

If *Mr. Jay or Mr. Hamilton*, I should think well of it.

If *Mr. Maddison*, I should expect little.

If *General Knox*, I should be certain of it.

If *Mr. King*, I should think favorably of it.

The impost and Tonnage support our present Government, the former operates as a bounty upon our manufactures, we look forward to the time when they shall become so matured, as to enable us to prohibit foreign importations, and to support our Government by an excise on our own manufactures, on this as well as on many other points, we follow your ideas and profit from your experience.

Our present wish is to adjust all our differences with you by amicable negotiation, we have talked this over lately in the Senate, and as the easiest and cheapest mode we should prefer* by a reciprocal appointment of Arbitrators, or in any other equitable manner, or if this shall not be thought eligible, by the Appointment of Commissioners in Europe, as to the Forts, if after we shall have complied with the spirit of the treaty they shall still be retained, in that event doubtless, we shall become very restless and dissatisfied.

*Expressions of personal civility omitted.

I am sorry to remark the late frequent publications in the newspapers of Massachusetts relative to the disputed boundary as it produces warmth and animosity. It is a question frequently discussed with us, whether it is our real interest to make great exertions in the establishment of manufactures or not—and on this point we are much divided in opinion.

I think it is our interest to establish that species of manufacture, distinguished by the late Lord Chatham, by the appellation of the domestic manufacture, and that beyond this we ought not to go for many years.

10.—To the Southward of Maryland the expected operation of the federal Courts has given the most serious alarms, in these States the Merchants and Planters are greatly indebted to the Merchants of England, and to be sure for years past a Spirit of Government has been manifested equally dishonest and unjust, this must now cease; peculiar as it may seem a more democratic opinion prevails in that district, than in the middle and eastern States, where the science of Government is better understood.

Mr. Jefferson is a proof of this, he is a man of some acquirements, extending even to elegant literature, but his opinions upon Government are the result of fine spun theoretic systems, drawn from the ingenious writings of Locke, Sydney and others of their cast, which can never be realized, such opinions very probably are the favorite ones with those who now conduct the revolution in France; I am far from thinking that the troubles in that great Kingdom are over, and I doubt whether it will be found practicable to rule that high-spirited nation, with a single Assembly, thwarted as it will be by a dissatisfied Clergy and Nobility.

11.—The exchange against London Bills is now twelve p. cent, this is owing in the first place to the good sense of the Merchants of Great Britain, who finding about three years ago they were great losers by our Trade, they discontinued to a certain degree the extent of their exports, the consequence of this has been, that we have not only made exertions to introduce certain manufactures, but the utmost pains have been taken to increase our exports, especially in the article of Wheat; which has lately commanded an advanced price in Europe, this affected the exchange, and recently that spirit which so eminently distinguishes your merchants has led them to speculate largely in our Continental floating paper of various kinds, from their opinion of our present Government and from the then low value of those securities; in consequence of those speculation large sum of money have been laid out in this way and paid for by London bills, these securities are now at seven shillings and sixpence in the pound, and with the difference of exchange may be valued at eight and sixpence, they have fallen somewhat from the delays in our funding system, and in particular from the debates in our house of representatives respecting the assumption or non-assumption of our State Debts.

12.—There has been an astonishing change in the condition of your Empire since the peace; your administration is an able one, and Mr. Pitt a very extraordinary man. The wisdom and the liberality of your Government in the exertions that have been made in behalf of the Loyalists, who we term Refugees, must command the respect of all the world. They have erred greatly in France in not forming their Government more upon the model of yours.

N.B.—In these and similar observations Mr. ——— marked clearly to me, a preference in favour of an English interest, and that he wished to show it.

13.—No possible exertions either of Mr. Jefferson or any other persons can enable France to promote the essential commercial interest of the States, she has no market for the raw material of this country compared to Great Britain and Ireland, and were the merchants of France in the complete possession of the trade of this Continent to-morrow, they could not retain it three weeks. They are a set of Pedlars, nothing more. The States are naturally anxious to form a treaty of Commerce with us, by which in truth they wish to get certain advantages, without giving up anything further than we now enjoy (their consumption) but we want nothing further, nor do I believe that they are in a condition to carry matters to extremity with us by restrictive regulations, whatever Mr. Jefferson, Mr. Maddison and that party may insinuate to the contrary. Let us examine this, say these gentlemen. "We will prevent the shipping of Great Britain clearing out from our Ports "for any other foreign possessions, and if this shall induce her to impose restraints "or duties on our shipping in her ports in Europe, we shall go further; in the event "of a war shall assist the fleets of France, for instance in every respect; "whilst those of England shall not even be allowed to refit in any of our harbours" —such is their language. Mr. Maddison has used these very expressions to me, to which I replied such behaviour by the law of Nations would be construed actual hostility.

I greatly doubt however whether the States are in a condition to take such steps as these, their present Government is supported by the impost and Tonnage duties; they are wholly English, is it then to be supposed, that they will put every thing to the hazard at once and risk the dangerous necessity of direct taxation on such a question as this where there is a difference of opinion even among themselves, many gentlemen thinking that they are not yet in a situation to attempt any sort of Marine

establishment and that foreign shipping carrying their bulky productions, particularly in the Southern States is both advantageous and desirable.

To me it appears evidently to be the interest of our Empire that the commerce of the American States should revert to the old Channel, that Great Britain should become the deposit of its productions to be afterwards re-exported, and for this purpose the granting certain indulgencies might be well, to the New Englanders the remission of our extra light-money would be an object, and I do not think that the opening two Free Ports in our West Indian Islands, would be at all prejudicial to our general commercial interest, the lumber and other articles suited to the West India market would be deposited there, and be re-shipped in our own vessels, the American vessels unloading and clearing out must spend something and it ought to be remembered, although the People in the States do not appear sensible of it, that our shipping in their Ports lay out a great deal of money. The present course of exchange upon London, so different from what it has been since the peace until lately proceeds from these causes.

The great exertions made to remit; The speculations in the American Securities, which has brought a flood of bills into the market.

And the large purchases of wheat for the procuring which the Specie has been sent out of the commercial towns into the heart of the country.

I am assured that the Legislature here have it seriously at heart to adopt more honourable, as well as more prudent measures than heretofore with respect to the Indian tribes in general, to protect them in their lands from future depredations, and when soil shall be wanted, to purchase it fairly, hitherto great abuses have prevailed.

14. In the year 1770 there were thirty families only settled beyond the Allegany Mountains, excepting a few stragglers, left by your Troops at Fort Pitt, in the year 1763—now Pensylvania has four counties upon the Western waters represented by nine members in her Assembly and containing upwards of seventy thousand souls —Virginia has three populous Counties exclusive of the district of Kentucky, in which there are seven Counties and upwards of one hundred thousand souls. There are besides several thousand people in the Federal Territory, which is beyond the Ohio River, and in all a regular dispensation of Justice, such an exertion in a vast wilderness never was made before. Kentucky is a growth of twelve or thirteen years and the annual accession of people, beyond the Allegany Mountains is incredible. Our general advancement in this New World is by no means a favorable object with the Atlantic States as they think our prosperity will be at their expence, that it lessens the value of their landed property, checks the prospect of raising a revenue by taxation and ruins the rising manufacturing interest, they are therefore little solicitous about our obtaining an export for our produce, and I may say, they wish we may not. Added to these considerations is the question now before our house, which involves the selling the lands beyond the Ohio, at an estimated value, in lieu of a portion of the public debt, this is greatly opposed by certain gentlemen, who are either personally or from their connexion already possessed of large tracts in that Country, which they wish to dispose of advantageously, and for this purpose are anxious to keep the lands belonging to the public unsettled, these gentlemen have great weight in our house, and I am not certain whether they may not succeed, they prevented the establishment of Land Offices in that Country the last Sessions, which created much uneasiness with us, these circumstances lay the foundation for a separation of interests and have induced men of reflection with us, who look forward to the importance of an export, and to the possible effect of these measures, to contemplate the necessity of a foreign connexion, this from our situation must be either Great Britain or Spain, although the Provinces of the latter power are more favourably situated for us.

At present the Governor at New Orleans and his friends carry on an illicit commerce with us which is very advantageous paying our people in dollars, we find it impracticable to remount the rivers without infinite labour and prefer the selling our Wheat, flax, Hemp and Tobacco with the flats on which it is transported and after-

wards taking passages for the Havanna, from whence as opportunities offer, our People return to Philadelphia or to the Chesapeake Bay, where they procure woollens and other European and West India Articles, or return beyond the Mountains with their money and buy what they want nearer home, this circuit is usually completed in from four to six months, and the precise time generally depends on the delays in the shipping.

The expence of transporting merchandize from Philadelphia to the back countries of Pensylvania on the Ohio, in covered waggons and the insuring the property from damage is no more than one guinea per hundred weight, which in fine goods is a more trifle, in woollens of the second quality may be estimated at about two per cent., but in sugars, liquors and wines is something higher, yet when the cheapness of house rent, fuel and the difference of taxation is considered, the retailers with us, can in fact afford to sell nearly as cheap as in Phildelphia; Baltimore in Maryland is fifty miles nearer and the roads equally good, our great difficulty is in the means of exporting and what we want is a commercial deposit near the mouth of the Mississippi, with merchants of enterprise and property, to buy our raw material and to give us good bills with which we may be enabled to buy foreign productions, at Phildelphia, Baltimore and other places most contiguous to the back counties the fashions of Phildelphia find their way in three months to Kentucky.

The Indians in the Western Territory are estimated at about five thousand fighting men, the disorders in general are perpetrated by a number of stragglers from the different tribes, who are settled on the Wabash River, they are not publickly countenanced by the Indians although privately connived at their first object generally is, to steal horses to carry away their peltries towards the close of the Hunting season, and if they happen to be discovered by any of the settlers, they murder them to ensure their retreat.

The strength of the Indians is towards the Mississippi; there the Creeks, Chickasaws and another tribe united, can bring fifteen thousand men into the field, Macgillivray who is at the heart of the Creek tribe, when he first arrived in Georgia after the peace presented a very modest petition to the Legislature requesting to have his Fathers lands restored to him; this they denied, on which he immediately went to the Creek Nation and threw himself into their protection, they received him kindly and he has waged war with Georgia ever since, his mother was of this tribe, his father a Scotch trader, this conduct of Georgia has by their own account already cost them fifty such estates as they refused to return, and Macgillevray declares that if he had chosen to do it, he could easily have taken Savannah, and destroyed the whole State, and that it is in his discretion to do so whenever he pleases, this in truth is the case, but being a man of strong sense and foresight, he is aware that an act of this nature would spread such an alarm in the continent, that we should raise a large Army, destroy the whole Creek country and drive the Indians beyond the Mississippi. These tribes have carried off at different times a great number of negroes from Georgia, they retain them in bondage, have compelled them to plant corn, to raise vegetables of different kinds and in a word to introduce agriculture, which these Indians have in consequence acquired a taste for, a taste the more necessary from their comparatively dense population, and favoured by the fertility and mildness of their climate.

15. The Legislature of Pensylvania have granted five thousand pounds for the making a carriage road from Philadelphia to the falls of the Seneca river on Lake Ontario, it is now practicable and other similar improvements are in agitation.

16. The Legislature of New York have agreed with certain Individuals to make a road from Fort George on Lake George to the Boundary line with Canada, and on the west side of Lake Champlain it is already marked out and will be finished this year. It is from thirty miles to eight miles distant from the Lake.

An officer has lately returned from Fort Harmar in the Western Territory, he carried twenty thousand Guineas to Governor St. Clair.

There is something mysterious in our conduct respecting the augmentation of the Forces, first we proposed raising a very considerable body of Troops; this plan

after much secret discussion and interruption by other business appears to be narrowed, greater moderation seems to prevail and a system of protecting the Western and South Western Frontiers is seriously in agitation in both houses, by the increasing the number of Posts and enlarging the Garrisons, for which an Indian war is the ostensible motive; this might as well have been done before as since, we have no Indian Trade, it either goes to Detroit or down the River Mississippi.

When the whole force destined for the service of the Western Territory shall be completed it will consist of three thousand men. The establishment of the Companies already there has been doubled by recruiting in that Country as well as in the different States, this respects the Infantry, the rest of this Force is still to be raised and the Officers still to be appointed.

One of the new Posts proposed upon the Sciota River will be within sixty miles of Detroit.

No. 20—LORD DORCHESTER TO MAJOR BECKWITH.

(*Canadian Archives, Series Q. 45-2 p. 518.*)

QUEBEC, 27th June, 1790.

SIR,

An appearance of a War with Spain rendering it improbable that I shall obtain leave of absence from my Government this season. I wish to take the earliest opportunity, after the receipt of this information, to return thanks for the polite and very obliging manner, in which the approbation of my passing through the United States in my way to Europe has been intimated.

You will therefore proceed to New York for this purpose.

You will at the same time express my hope, that neither the appearance of a War with Spain nor its actually taking place, will make any alteration in the good disposition of the United States to establish a firm friendship and Alliance with Great Britain to the Mutual advantage of both Countries; I am persuaded it can make none on the part of Great Britain, whose liberal treatment of the United States in point of Commerce sufficiently evinces her friendly disposition, notwithstanding the non execution of the treaty on their part, which, and various misrepresentations, I have always attributed to an unsettled state of their government, and of the minds of the multitude, influenced perhaps by a power not very cordial even to the United States.

I hear with satisfaction, that some steps towards an amicable System have been commenced at home, through the Agency of Mr. Morris, though not yet so explicit and formal as the case may require.

The rights asserted by Spain being to the exclusion of all the world, as well the United States, as all the European Powers, I think the interests of the United States, in case of a War, may be more effectually served by a junction with Great Britain, than otherwise.

I have heard with concern of hostilities committed on the Ohio, by some Indians of that District, at the instigation of some Southern tribes, supposed to be under the influence of Spain.

I have from my arrival in this Country endeavoured to preserve peace, and to extend it to friends and neighbours, though no stranger to the language held in the North Western Territory, nor that of Captain Hart on Lake Erie, and the schemes thrown out by Hendrick Wemple to the Six Nations, which, and all such discourses, I consider as the effusions of sanguine minds, ill digested and without authority.

You may communicate these sentiments, as occasion may require, and your discretion direct.

I am with regard,

DORCHESTER.

Major GEORG BECKWITH.

No. 21.—LORD DORCHESTER TO MAJOR BECKWITH.

(*Canadian Archives, Series Q., 45–2, p. 521.*)

QUEBEC, 27th June, 1790.

SIR,

Besides the objects of your Instructions of this day of a less secret nature, you will also while in the States, take all opportunities of learning the disposition of their Government, and people, towards peace or war, separately, and unconnected with the affairs of Spain, what difference a war with Spain is likely to produce, whether the States are likely to join with that power, what may be the extent of their views, and whether they expect any assistance from France in her present situation.

There being an appearance of cordiality between the Governor of the North-western Territory, and the Spaniards, who are supposed to have appointed a joint conference with the Indians on the Wabash (which is rather extraordinary, seeing what grounds there are to think the Southern Tribes are set on by that power) you will endeavour to find out the nature and object of these supposed negotiations, whether a Spanish Officer or Agent has actually been present at any conference of Mr. St. Clair with those Indians, of what nations and numbers it has been composed, and what has been the result.

A subject of France of the name of de Bon, after making some stay among the Indians on the Missouri having lately passed from Saint Louis des Illinois to Detroit, and thence to Niagara and into the States, you will endeavour to find out what may have been the object of his journey, where he now is and how he is connected and employed.

You will pay particular attention to the character of military men, likely to be employed, to all military arrangements, to the increase of their troops, their position and movements, the number and magnitude of deposits of military stores, and provisions, and the arming of any ships for War to act under Spanish Commissions or otherwise.

Should you find them disposed to be more friendly, you will endeavour to discover what might induce them to unite with us in the event of a war with Spain.

As there may be a difference of opinion concerning the Western Country, and the navigation of the Mississippi, you will be cautious in advancing anything specific on that head, but rather lead them to explain the different lines of policy, each party may have in view, endeavouring to ascertain the extent and importance of the adherents of each particular system. In general you may assert it as your own opinion that in case of a War with Spain you see no reason why we should not assist in forwarding whatever their interests may require.

You will give me as full and accurate a report as you can on these and all other points, which you may think interesting to the King's American Dominions, or to His service in general.

You will give direct information to His Majesty's Secretary of State of all matters, in which the delay incident to the communication through this province may be prejudicial.

You will remain at New York or in the States as long as you find your presence there may be of advantage to the King's service.

You will inform yourself of the progress made by the Commissioners for settling the affairs of Vermont and on your return you will make it your business to see as many of the leading men of that district as you can, in order to learn their views and dispositions, and what effect the opening their commerce does, or is likely to produce, on the face of their Country, and on the minds of that people, in case of a War.

I am with regard,

DORCHESTER.

Major GEORG BECKWITH.

No. 22.—LORD DORCHESTER TO MR. GRENVILLE (An Extract.)

(*Canadian Archives, Series Q, Vol.* 45-2, *p.* 516.

Quebec, 7th July, 1790.

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I have sent Major Beckwith back to New York somewhat in a hurry, that he may avail himself of the July packet, should he have matters of any importance to communicate. He is furnished with Instructions, which may clothe him with consequence, and authorize him to speak generally on certain public topics, he has a second set of instructions for his private guidance only. I formerly pointed out the advantages, which this gentleman derived from his employments during the war, and which rendered his being employed on those occasions the more eligible; I have since had no reason to change my opinion but I must observe, that owing to the shortness of his occasional visits to that country he can only procure such desultory information, as happens to fall in his way without being able to follow the chain of events, or attend to the different changes, which that government is still liable to.

I am with much respect and
esteem, Sir
Your most obedient and most humble servant,
DORCHESTER.

No. 23.—LORD DORCHESTER TO LORD GRENVILLE.

(*Canadian Archives, Series Q., No.* 46-1, *p.* 18.)

Quebec, 25th September, 1790.

IR,

Inclosed are certain communications in continuation of my letter No. 27 eceived on the 5th of last month.

I am with much respect
and esteem
Sir
Your most obedient and humble servant,
DORCHESTER.

he Right Honble.
William Wyndham Grenville.

Supposed 7.—I have communicated to the President, the subjects, on which we ave conversed; however authoritative they may be on your part, in so far as resects Lord Dorchester, and however evident it is to me that His Lordship is pprized by your Cabinet of Mr. Morris's Agency, yet you must be sensible, that fficial formality is wanting, but it is conceived that His Lordship would not have one the length he has, without being acquainted with the general views of your dministration, as they respect this Country.

Having premised this, I feel warranted to assure you that there is the most incere good disposition on the part of the Government here to go into the consideation of all matters unsettled between us and Great Britain, in order to effect a erfect understanding between the two countries, and to lay the foundation for future mity; this, particularly as it respects commercial objects, we view as conducive to ur interest.

In the present stage of this business it is difficult to say much on the subject of Treaty of Alliance; Your rupture with Spain, if it shall take place opens a very ide political field; thus much I can say, we are perfectly unconnected with Spain

have even some points unadjusted with that Court, and are prepared to go into the consideration of the subject.

The Speeches or declarations of any persons whatever in the Indian Country, or to the Westward, suggesting hostile ideas respecting the forts are not authorized by this Government.

Lord Dorchester's conduct with respect to the Indians is held by us to be a strong proof of His Lordship's dispositions to promote harmony and friendship.

It appears to me that, from the nature of our Government, it would be mutually advantageous, if this negotiation could be carried on at our seat of Government, as it would produce dispatch and obviate misconception.

Supposed 1.—Mr. Maddison continues indefatigable in the pursuit of his plan for a discrimination of duties; a bill of that nature is now before the Senate, and a committee has been appointed for some time to report upon it; this business found a cold reception there, and hitherto nothing has been done; whether the Senate will take it up this session seems uncertain.

Mr. Jefferson is a decided Republican, and perfectly devoted to a French Interest, his language both within and without doors tends to prove it, and he has a degree of finesse about him, which at first is not discernable; he has been a great instrument in promoting the removal of the Legislature from a city, which he considers as being perfectly in an English interest.

I think the advocates for a discrimination of duties rather gain ground, and your late conduct in Great Britain leads to produce it; we have until lately had permission to carry foreign productions of different kinds in our shipping to the ports of Great Britain, and I believe of Ireland, the ground is narrowed by a recent explanation of your navigating and trading acts, and we are now confined to our own produce only; this, with your late strict examination respecting our seamen and apprentices are viewed by the Gentlemen with us, who are the friends of discrimination, as the commencement of a commercial warfare on your part, which ought immediately to influence our measures; they still declare, that they do not believe Great Britain will proceed to extremities in a struggle of commercial regulations, but this I greatly doubt, and cannot help thinking that their real views are to endeavour to throw the trade of the States as much as they can, into the hands of France.

Mr. Jefferson's holding his present office is unfortunate in the idea of forming any close connexion with you, as he cannot be confided in; Mr. Chief Justice Jay has more favorable sentiments, so have Mr. Hamilton our Secretary of the Treasury, and General Knox, our Secretary at War; Mr. Hamilton possesses a solid understanding, great candor and sincerity in his dealings, and a manly mind, which will not be restrained from a free declaration of its opinions.

Mr. Jefferson is thought to be in great favor with the President, but I trust that no influence will induce Mr. Washington to neglect the real interests of the country, whatever may be his private predilections.

Our real interest in a national view ought to lead us to maintain a perfect neutrality and to attend to the extension of our commerce; whether this will be our conduct I really do not know.

Supposed 11.—The late explanation of your trading Acts by the Commissioners of the Customs, dated in March, has given much uneasiness to many merchants of character in this city, who are firmly attached to an English interest, if American ships have been indulged since the peace in being the carriers of articles from the States, not produced in this country, the checking or totally preventing this in future is easily understood; from this port it has not been practised to my knowledge, but to restrain your own shipping from loading those articles for Great Britain or Ireland, more particularly when this is done as remittances to your own

nerchants, astonishes me very much, and we do not think this doctrine of your Commissioners of the Customs will be supported by their superiors, either on principles of law or sound policy.

In general the mercantile interest in the States is exposed to great inconvenences from the want of a commmercial treaty; in this port the English seamen are ontinually leaving their ships; they indeed forfeit their bedding clothes & wages; f the last little is due, and the former they do not much regard, the tendency of hese disorders is to check the general spirit of intercourse.

Supposed 14.—By various communications from Europe the disorders in France re far from being settled, I am deeply interested in a tract of land in the Western Territory of upwards of a million and a half of acres, we possess different important oints in that territory, which will hereafter become of very great consequence; a art now settling by emigration from France is on the further bank of the Ohio pposite to the mouth of the Great Kenhawa river, and there are amongst these entlemen ten, who have been members of the National Assembly, who are firmly letermined to quit their native country for ever; these emigrations the French Government have used every means in their power to discourage, and the danger to e apprehended from the Savages has been held up in the most lively colours, but I ave received the strongest assurances from the President of protection from the overnment of the states, by a written communication from himself, copies of which have transmitted to the parties concerned in France, for their own information and hat of their friends; this marks General Washington's attention to the Western Territory in the most decided light. We have a large district at the Mississippi, irectly opposite to the Spanish Port of Saint Lewis on the river Missouri, this port s not more than eightdays journey from Santa Fé, the Spanish Capital and the country racticable for military operations; the Spaniards are jealous of this communicaion, and no person is suffered to pass in that quarter.

The idea of your breaking with Spain makes the most forcible impressions on ll orders of men in the States, who are capable of serious reflection.

Your possessing New Orleans we think an object of great consequence, both to ou and to Us. And we feel deeply interested in the event. The Navigation, Comerce and fisheries beyond Cape Horn, in the present state of things, are important, he probable dismemberment of the Spanish monarchy, and the opening the comerce of South America, both which are looked for, strike us at once, and seem to urry on an event, which we have hitherto considered as remote.

We think the present moment particularly favorable for you, and we are apable of great exertions at this time, from that Military Spirit which every ountry possesses at the close of a civil war, and from the number of officers, who aving acquired military habits, are anxiously desirous of service; of these there re some of high rank, and I am strongly inclined to think that General Knox, our ecretary at War, would be eager to promote any system of national friendship with ou, both from his general turn of thinking, and from his passion for military comand.

If such a plan should be followed up he would be a proper man to command a ody of Troops to clear away the Spanish Posts on the upper parts of the Mississippi, hilst you should attack New Orleans, and this effected to conduct an Army, to be ormed in the Western Country, by land from thence into Spanish America; we hink such an undertaking very practicable.

By the latest computation we estimate our numbers beyond the Allegany Mountains to be nearly three hundred thousand souls.

The Spanish Packet, lately here, has left in this city the Secretary of the panish Governor of St. Augustine, it is said for his health; this is doubted, and it s imagined rather to have in view the approaching negotiation with Mr. McGilliray and the Southern Indians. The gentleman's name is Howard.

We hear from Halifax, in Nova Scotia, that two Creek Indians have been there and that Lieutenant Governor Parr has sent them to Lord Dorchester at Quebec.

"In case of a war with Spain, I see no reason why we should not assist in "forwarding whatever your interests may require."

"In as far as I can judge at present of the general disposition of this country, it "is by no means favorable to a Spanish interest, the bias of mercantile and sea "faring men, both here and to the Eastward appears to me to be evidently in our "scale, and there are symptoms of a privateering spirit, which may be readily "brought forward in the event of a Spanish war.

"Colonel Willet who was sent by the President to the Southern States this "Spring, has had the address to draw McGillivray and the Creek Indians under "his influence into a negotiation; he arrived here a few days ago with a number "of Chiefs, and every means will be attempted to secure his friendship and to "detach him from Spain. A Spanish Packet from the Havannah, which sailed "from hence just before my arrival, is supposed to have had political motives in "coming here, to the President of that nation, and amongst others either to "watch, or to endeavour to thwart this object, Mr. Howard, the Secretary of the "Spanish Governor of Florida, came in this ship, and went from hence to Philadel-"phia, where he met Mr. McGillivray on his way here; Mr. Howard is returned to "this place.

"Three companies of the federal forces had by late accounts landed in Georgia, "I do not think their numbers will be augmented during Mr. McGillivray's "negotiation, from which great expectations are formed.

"In case of a rupture with Spain the probable effect, which such an event may "produce upon the navigation of the Mississippi attracts the very particular atten-"tion of this Government, and excites the notice of all orders of people; our power "to take possession of New Orleans, and to retain it, is not doubted, but the conse-"quences of this measure are considered to be of the first importance. If the fate of "war should give us possession of New Orleans, its vicinity to the West India "Islands, the immense resources of the countries on the western waters in lumber, "naval stores, hemp, flour, tobacco, and other exports, are contemplated as forming "a competition with the Atlantic States, as having a direct tendency to accelerate "the population and wealth of the former, at the expence of the latter, and as the "laying an immediate foundation for a rivalship.

"A complete model of Arkwright's cotton machine is lodged in the office of the "Secretary of state."

Additional information in letter of 26th September, No. 48.

Supposed 7.—There is one thing more I wish to mention to you; I do it altogether as from one gentleman to another, and I trust it will be so considered.

I have decided on doing it at this time from the possibility of my not having it in my power to come to such an explanation hereafter.

If it shall be judged proper to proceed on this business by the sending or appointing a proper person to come to this country to negotiate on the spot, whoever shall then be our Secretary of State, will be the person in whose department such negotiation must originate, and he will be the channel of communication with the President, in the turn of such affairs the most minute circumstances, mere trifles, give a favorable bias or otherwise to the whole.

The Presidents mind I can declare to be perfectly dispassionate on this subject. Mr. Jefferson our present Secretary of State is, I am persuaded a gentleman of honor, and zealously desirous of promoting those objects, which the nature of his duty call for, and the interests of his country may require, but from some opinions

which he has given respecting your Government, and possible predilections elsewhere, there may be difficulties which may possibly frustrate the whole, and which might be readily explained away, I shall certainly know the progress of the negotiation from the president from day to day, but what I come to the general explanation for is this, that in case any such difficulties should occur, I should wish to know them in order that I may be sure they are clearly understood and candidly examined; if none take place the business will of course go on in the regular official channel.

"I cannot form any opinion upon the manner in which our administration may proceed in the business you mention, I shall make the proper use you may depend on it of what you have said, nor shall it ever be brought by me in a way to convey an impression different from the causes which occasioned it."

"I am persuaded it will not, it is not necessary for me to say, that in this I am steadily following up what I have long considered to be the essential interest of this country; on this point I have already so fully explained my ideas, that a repetition is needless.

No. 24—LORD DORCHESTER TO LORD GRENVILLE.

(*Canadian Archives, Series Q., Vol.* 46—1, *page* 34.)

QUEBEC 25th September, 1790.

SIR,—I enclose a further continuation of certain communications received on the 11th instant.

I am with much respect and esteem, Sir,
Your most obedient and most humble servant,
DORCHESTER.

The Right Honble. WILLIAM WYNDHAM GRENVILLE.

"As our packet is to sail to-morrow, I wish to know, whether anything has occurred to occasion an addition to the communications, which you were pleased to make to me on the 15th of last month."

Supposed 7.—No, nothing at all, I at the same time think myself warranted to acquaint you that Mr. Morris's letters by your June packet mark an alteration in the disposition of your cabinet, according more with the spirit of Lord Dorchester's communications by you, than seemed to be the case before; Mr. Morris has been asked, whether we should be disposed to send a minister, if such was your disposition; to this Mr. M. has been too shy in his reply; but I conclude your communications on that point had not then reached England.

"No, they were not forwarded from Quebec, until late in May, and I think it right to say the matter respecting the mutual appointment of ministers was fully explained."

"I believe you will recollect, that shortly after the arrival of the Creek Indians I "mentioned to you, that I took no part whatever in Colonel McGillivray's negotiation, "that I was ignorant of his intentions in coming here, and that I had no concern in "Indian Affairs, I judged it necessary to come to this explanation at that time from "particular circumstances."

Supposed 7.—The step you took on that occasion was very satisfactory.

"The object of my present application is this, I have rigidly adhered to the "same system since that time, but when your Treaty shall be completed, and every-"thing finally concluded, I should wish to see Mr. McGillivray, you undoubtedly "have heard from public report, that some of the Southern Indians have been "at Halifax, and the public prints assert, they are gone to Quebec; now I wish to "ascertain who they are, and by what authority they act."

I may mention in confidence to you, that we are by no means satisfied with the conduct of the Spanish officer, who arrived lately from the foreign possessions of that Crown; we cannot prove it positively, but have every reason to think that he has been using endeavours to check or even to frustrate our negotiations with the Creek Indians, and with this view he has made them large presents in this city; this we consider as perfectly unwarrantable. I am not sure whether our disapprobation of this conduct may have yet been communicated, but if not, it will immediately. Now if we take this step with respect to the servants of the Spanish Government, it occurs to me it may seem inconsistent to give you a toleration to negotiate with the same party, this I throw out for your consideration.

"I have no authority to negotiate; I wish merely to come to an explanation "with Colonel McGillivray on the points I stated to you."

There is a person here who calls himself a British officer, who has been busy with the Indians, and who drew away two or three of them one night, he is a man of low character and has been wandering about through the West India Islands of different nations; it is therefore highly problematic, whether such a man may not be a Spanish Agent; if any thing had appeared to lead to the idea of this man's being employed by Your government, I should have mentioned it to you in direct terms.

"Such a man, or such men, may have three objects; they may be pushing a "personal interest, they may be employed by Spain, or (what I confess I think im-"probable) they may be employed by the Government here; in any of these events it "would make no sort of difference, as it respected me; peace and friendship be-"tween you and the Creek Indians, is evidently not hostility with us, and I trust it "will never be viewed in that light here."

Certainly not, I shall think of your application; from the forms of our Government, the Treaty although matured, must be approved by the Senate, and I shall let you know to morrow or next day, whether your request is considered as leading to any sort of inconvenience or not; but I cannot think for many reasons, that we should employ any person or persons whatever in the manner you have described.

" I am far from believing you would, I only expressed all the possible circumstances of such a case."

Supposed 7.—I have mentioned your application with all the circumstances attending it; there will be no sort of difficulty in your seeing Mr. McGillivray whenever you please, General Knox at whose house he resides, is apprized of it, and will introduce you to him, I cannot think it probable that any of the attempts to sound your ideas or dispositions during our negotiations with the Creeks have originated with our government; it is a mode of acting so very different from that which we should have taken, if any suspicions had existed relative to you personally or to your government.

I have already mentioned my wish, that when matters shall be brought to a point, and a serious discussion take place between Great Britain and us, pains may be taken to guard against any jealousies in the manner of it; we are a new people which may occasion a coyness; some of us may possibly entertain doubts of your wanting to mark a superiority, and such an idea may give a turn to the whole negotiation.

17.—We understand Lord D. means to pass through the States on his way to Europe, and had hopes to have had the pleasure of seeing His Lordship this Autumn.

" Lord Dorchester has applied for leave of absence, and did purpose to pass this way, but the appearances of War have put a stop to it for the present."

In the formation of our present government we have copied greatly from yours; there is indeed a material distinction, we have no hereditary sovereignty, nor a hereditary Aristocracy, but we have endeavoured to form something as nearly resembling those as circumstances rendered practicable. In every regulation introduced the strictest attention has been paid to your conduct in similar instances, and wherever your system applied, it has been invariably adopted. It is glorious for Great Britain, that all the polished nations in the world are endeavouring to introduce her form of government in some shape or other, and that France notwithstanding all her present struggles may fail in attaining it.

I look forward with pleasure to an end of all our remaining differences, those violent personal animosities, which are so disgraceful to any people, who harbour them, are now done away, and I hope we shall shortly connect the two countries by Treaties to the advantage of each. The markets of Great Britain are the best for the raw materials of the States; your manufactures are the best adapted to our tastes; the encouragement of the domestic manufacture in the States I dont conceive to be prejudicial to your interests, we shall become richer by it, our luxuries will increase with our wealth, and our consumption of all finer articles will follow, we shall also pay better than at present. The enthusiasm of a dreamer cannot lead to the supposition of Great Britain's aiming at territorial superiorty in this country; on that score therefore there is no room for jealousy and I wish that you may in some shape or other judge it expedient to relax some of your navigating acts, which have a tendency to prevent the formation of a durable connexion between us.

" I hope we may come to a perfect good understanding, but you must be sensible how important those Acts are to us, which secure our naval power."

Supposed 1.— Our Session has been a long one, and it has lowered the Congress greatly in the public opinion, the length of time wasted in the residence bill, the debates upon it, and the bargains, which connected this subject with the assumption

of the state debts, have got abroad, and have created doubts in the wisdom and in the character of the Legislators, which must produce much censure and some reproach. The conduct of the Connecticut delegation has been uniform and rational, they laid a regular plan at the commencement of the Session, and have abided by it; they wished to secure six or seven years residence in favor of New York, and to have given the permanency to Baltimore; they proposed this to the Maryland gentlemen, but these had entered into previous engagements with the Virginia and Pennsylvania delegates for Philadelphia and the river Potowmac, which they were the means of carrying to the injury of Maryland, as it respected the residence, and they stipulated to vote for the assumption of the state debts, which is a measure contrary to their local interests; they have therefore acted weakly, and I really believe these gentlemen will not be well received on their return. The increase of the duty on Salt will likewise be very unpopular and create disgust. The elections are at hand, and I am persuaded many alterations will take place in the Representative Body. As to Potowmac I have no idea, that the Government will ever go there; once fixed at Philadelphia the Eastern Members will all vote against going further south. The treaty between us and the Creek Indians is nearly completed. If Georgia has encroached on their territories, justice ought to be done them. I have always been of opinion, that the State of New York has acted unwarrantably towards the Indians of the Six Nations.

Had any accident happened to the President, Mr. Adams would have expected to succeed him, but I doubt greatly whether he would have been chosen. He is by no means popular in the Southern States, and I think Mr. John Jay would have been preferred. He possesses a smoothness of manners, a moderation of conciliation in his general language, which render him better liked than the other, and cover a warmth of temper, accompanied by a sullenness of disposition, from which the Chief Justice is far from being exempt.

Mr. Maddison's bill for the discrimination of duties cannot be brought forward this Session, however earnest he may be about it; the committee has been called on repeatedly by the party in the Senate, who are anxious to promote this measure, but without success; there are not more than seven or eight members in that house of this way of thinking, and Mr. Langden of New Hampshire, who is a man of a fair private character is one of the principal ones; there is no convincing him but that you have laid a deep concerted plan to recover the Sovereignty of the States, and that your whole conduct at present leads to this point; other gentlemen think such ideas quite visionary, and that if even they were prevalent here, the British Nation would not listen to them. It is certain, that, whether your views go to this or not, the formation of a Treaty of Commerce, and afterwards of a Treaty of Alliance, lead as well to this object, as to the establishment of national friendship.

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18. I doubt we shall have no war between Great Britain and Spain.

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14. I doubt so too, but for very different reasons, and mine are these. If Great Britain had possession of the opening of the Mississippi, her commercial enterprize would give us a fair and liberal market for our various exports, which is not now the case; it would tend to people our country, in consequence to give us more weight in the general scale, we should grow wealthy and powerful. In these ideas all the people upon the western waters are united.

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18. You would injure us greatly were this to happen (meaning the Atlantic States) you would undersell us fifty per cent in every article, for although your distances to New Orleans may be great, the transport down the streams is so easy and expeditious, that the price of articles would not be enhanced in any great degree.

"How would you get home again?"

14. We must return by the Atlantic States.

"Then you would lay out your money there, in European and in East and West India commodities, and the exports of the western waters, or their value would center ultimately in the Atlantic cities."

14. Partly, but not altogether, we should carry some of the money over the mountains to pay labourers, and to improve our lands ("18 retires") and the gentlemen in Virginia for instance are greatly alarmed, they have already tracts of old lands without cultivators, in consequence of western emigrations; such are the advantages of a better climate, and being lords of the soil.

"I also doubt our having a Spanish War, but from motives widely different from either yours or (18); his he has told me proceed from his hope, that such a contest will raise the price of wheat, and thereby afford encouragement to Agriculture."

"Georgia has possessed herself of large tracts of land within the ancient limits of the Creek nations and Mr. McGillivray insists on their being restored; he is undoubtedly warmly a friend of Great Britain, he has a share in a commercial house in London, suffered to trade with the Indians, for which indulgence they pay twelve thousand pounds sterling a year to the King of Spain or to some officers of rank in that service. Panton Leslie and Co. is the firm of the house in Pensacola, in which McGillivray is concerned. The principals in London are Strachan and company in Birchin Lane."

"Mr. Dalton then shewed me a copy of the credentials of Mr. Samuel Street from the five nations, dated Buffaloe creek 7th April, and witnessed by John Butler, Superintendant of Indian Affairs, and by William Johnson interpreter, authorizing Mr. Street to treat with Congress, this paper was clearly drawn, and the powers seemed full, but I could not read it accurately, as it was almost dark; Mr. Dalton had obtained this paper in order to shew it to Colonel McGillivray, and he had promised to return it without taking a copy—Mr. Dalton on the whole seemed to insinuate, that there would be a general Indian War, and that he wished to promote it; I replied, that I should be sorry for it. Mr. Dalton concluded by observing that the Government here were jealous of him, and that he was considered as an obstacle to the present Treaty."

"Mr. Samuel Street, the Agent from the five nations of Indians went to the quarters of the Creek Chiefs, two miles out of town, to speak with their interpreter and to ascertain, whether Dalton was a man of confidence with Colonel McGillivray and the different Warriors; on his arrival there he met with the Colonel who knew him from description, they were entering into a conversation, which was interrupted by the appearance of General Knox, but he was requested to call on Colonel M. the morning following, which he did, and remained half an hour. Colonel M. told him, that about a year and a half ago Dalton came into the Creek nation, that he was a British officer, or had been one, and that he had been very industrious in forming a party, and in exciting divisions among the Indians, that Colonel M. had recommended it to him to withdraw, which he had accordingly done in a few months, and that he understood he had been in England; that there was a Colonel Boles, likewise an English officer, who had made his appearance in the Creek country, nearly about the same time that Mr. Dalton had, and with similar views, that it had been recommended to this gentleman also to quit

"their country, and that he had assisted him in doing it; this person who had formed "a party, and attached some of the Indians to him, he understood to be now at Que- "bec. Mr. Street then began to open to Colonel M. the nature of his business, the "complaints of the five nations relative to the State of New York in regard to their "lands, and of their present application to Congress for redress, and he indicated a "wish to make a common cause of it, Colonel M. declined it, saying "I am interested "for the Creeks alone, and I have obtained that satisfaction respecting our boundary "line, which Georgia would not grant; the government here has acceded to our "reasonable demands, and the matter is on the point of being completed. I am on "the eve of returning by water with the chiefs, there is one rascal indeed, who "refuses to go with me, and who gives me a great deal of trouble." "Here they "were broke in upon and separated—Mr. Street says that the Interpreter gives a "similar account of Dalton. Mr. S. has drawn up a statement of the complaints of "the five nations, and communicated his appointment, in a paper addressed to the "President, which he has put into the hands of Mr. Wadsworth to present. Mr. S. "says there are certain Cognawaga Indians just arrived from Canada, that he was "anxious to see them, and suspected they were individuals, who having rendered "some services to the States during the war were applying here for compensation.

"Mr. Street has asserted, that the Cognawaga Indians now here consist of four "or five persons, one of whom is a boy, they say that during the war they rendered "many attentions and services to the officers of the United States, prisoners in Can- "ada, for which these gentlemen paid them in continental paper, this not being "current there, they have kept it ever since, and now produce it, they apply for a "compensation, and were to have an audience of the President this morning on "the subject. The application of Mr. Street in behalf of the Indians of the Five "Nations by means of Mr. Wadsworth has drawn a declaration from the President, "expressive of his intentions to pay every attention to the Indians in general, and "Mr. Street is assured by General Knox, that his business will be taken into imme- "diate consideration.

"Mr. McGillivray is to have fifteen hundred dollars a year from the States.

"Mr. Street further asserts that Joseph Brandt did not sign his credentials him- "self, but he communicated the names of those who did. Mr. Samuel Street is said "to be a half pay Lieutenant in Sir John Johnson's corps, he is a Magistrate under "the King's government, and keeps a store at Niagara, by birth a New Englander; "he expects to get into full pay, if any Provincial Batallions should be raised in Canada, "from the friendship of Sir John Johnson. His present Agency is to be requited "by a tract of land in the Genessee Country, or somewhere within the limits of the "States, to be held for him in trust by a Mr. Schuyler, the son of a Mr. Peter "Schuyler who was a man of great influence with the Indians of the Six Nations before "the late Sir William Johnson. Mr. S. purposes to return to Niagara this Autumn."

"Mr. Street has been informed by General Knox, that the President cannot "interfere in the business of the five nations, committed to his agency; that if they "are not satisfied with the behaviour of the New York Commissioners, they must "apply to the Legislature which appointed them; in consequence of this answer Mr. "Street intends to return to Niagara in a fortnight, and to petition the Legislature of "this State at its next meeting."

"I have wished to see you to enquire after some of your people, who I hear are "gone to the northward, and from public report are now at Quebec."

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19. They do not belong to us, they are Cherokees, and I believe a person is with them, who calls himself Colonel Boles; he had five Indians with him originally, but one of them returned home, Mr. Boles was a subaltern officer in the Maryland Loyalists during the late war, and served in the Floridas, he is an active young man,

and when I found myself under circumstances very different from the present, and at times in very critical situations, I wished to employ some officers of military knowledge and activity, which I thought he possessed; but I soon observed, that he had ideas the most wild and extravagant in the world, and I found it necessary to withdraw all confidence from him; he however contrived to get some of the Cherokees into his notions, and persuaded them to go with him to the Bahama Islands, where Lord Dunmore saw them and sent them to the northward.

"There is another person here who has been in your nation, whose name I do not mention, but with whom probably you may be acquainted from this description; in what light do you consider him?"

Dalton you mean, he is one of Mr. Boles's Captains, he is a man from whose hardiness, activity and other acquirements, I expected to have derived much assistance, but whom I soon found tampering with the Indians, in a way highly unjustifiable. He was a loyalist during the war, and had settled in Nova Scotia with his family since the peace; about two years ago he came to the Bahamas in a small craft with some fish, where he was cast away, and shortly afterwards he came into our nation. After discovering the dispositions of this man I recommended it to him to quit the country, but he excused himself, saying he was sick, which indeed he was, he remained ill in the lower Creek country for five months, during which I was absent; on my return I found him recovered, and I accompanied him to the sea coast, where I put him on board *one of our ships* from whence he might have got a passage in some small vessel to the Bahamas; but he had other projects, he had got together some of the chiefs of the lower Creeks during my absence, had imposed himself upon them for a person of consequence, and made them believe, that he could do great things for them in England, instead therefore of looking out for a passage for the Bahamas in a small vessel he proceeded to London in the ship, and plagued the English Ministry for some time, who I fancy discovered him to be a man of no pretensions to notice. I was very much surprized to find him here on my arrival; we met in public on my landing, he has been plaguing me very frequently by messages and notes from day to day, and I was not able to get rid of him, until General Knox left directions for him to be told that if he came again he would be sent to Jail.

For my part I am of opinion that I have some claims not only on the generosity, but even upon the Justice of the British Government; for several years however I have seen clearly, that from our local situation we could not expect to derive any effectual support from thence, and therefore I have found it necessary to adopt other measures for our security. In the present treaty I have been obliged to give up something in order to secure the rest; it might have been better, but I have found it necessary from our inadequate strength, when compared with this country, to take the safest method, guarding at the same time from anything, that might shake my treaty with Spain.

By the present one with the States I have secured a port on the edge of East Florida, in case you have a war with Spain, and it should prevent our ships from England passing as they do at present, or by way of Cadiz, which is stipulated in my Spanish Treaty, but I have thought it possible, that the London merchants might be afraid to trust their property by that rout in time of war, notwithstanding such assurances on the part of Spain, and therefore I stipulated for this port in the treaty now concluded.

"I am glad to find your treaty on the whole is so good a one, and that it has produced a peace between you and the States, Great Britain you know is in a state of profound tranquillity with this country, and with the prospect of remaining so, at the same time I trust if we have a Spanish war, we shall have none with the Creeks."

By no means; I have met with great commercial attentions from England, I had a small vessel seized by Lord Dunmore, but on stating the matter it was settled in the most satisfactory terms, and by applications from the house of Strahan and company in London to Lord Hawkesbury I have met with indulgencies with regard to duties. You must have observed the jealousy here with regard to Spain during the present treaty; Mr. Viar the Spanish Resident has regretted to me its not being in his power from this cause to shew me more attention.

"19. is appointed a Brigadier in the service of the United States, wore the "uniform in public when the Treaty was signed by the President, and has an annual "appointment of twelve or fifteen hundred Dollars from this country."

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20. I have long had it in contemplation to establish a settlement at or near the confluence of the Mississippi and Missouri rivers. It was my intention before I undertook the enterprise to have explored that part of the country that I might have been enabled to ascertain the most eligible position for erecting a city contiguous thereto, and I had made every necessary preparation for the purpose previous to the receiving my appointment.

When on the western waters I was zealous in soliciting information of that part of the country from those persons, who I apprehended were competent to give it. I received the best from two gentlemen; the one Colonel Pentacost, who has been there, and owns a considerable tract of land in the vicinity of the Mississippi river; the other Major Chaplain, a resident of Kentucky, who in the late war was a prisoner in that quarter. These gentlemen are men of integrity and honor, and their accounts of the country perfectly correspond; they told me, that it was one of the most inviting countries on the western waters. The most advantageous position for erecting a city either with respect to commerce or agriculture is at or near the confluence of the Mississippi and Missouri rivers. Its central situation between that ridge of mountains, which divide the waters of the Western and Atlantic Oceans; the easy communication by water with the great northern lakes, the number of large navigable rivers from different directions which enter the Missouri and the Upper Mississippi, running through an immense extent of country, unequalled in the richness of its soil, a climate favourable to the human constitution, and the ease with which its various and numerous productions may be carried to every part of the globe will cause a rapid population, and open such sources of wealth, hitherto unknown in any part of the world. To effect this great and important enterprize it will require a fund at least of twenty-five thousand dollars. It is not probable that the whole of this sum will be expended in effecting the proposed settlement; but prudence dictates the propriety of guarding against every possible event, which may have a tendency to frustrate the execution of the design. Soon after establishing this settlement, thousands will migrate to it from different parts of the United States; hundreds of families will leave the rich lands of Kentucky to settle here; the french on both sides of the Mississippi, when the number of its inhabitants shall free it from danger, will flock to it and in all probability it will in a few years become great, respectable and powerful. The distance from the Spanish settlements, and the difficulty of ascending the Mississippi river, will afford great security to the first settlers, and give them time to put themselves in a proper state of defence. It will require near a year from the time the men arrive on the ground, before the Spaniards can give energy to their operations; by this time the inhabitants will in all probability be able to oppose them successfully. Should they send a small army for the purpose of destroying the settlement or reducing it to the obedience of their government, it will be difficult for them to be supplied with provisions for any length of time; and if previous intelligence should be obtained of their movements, and intended operations, they might be greatly harassed when ascending the river, and perhaps in such a manner as would effectually frustrate their designs. The people of Kentucky would afford us every assistance in their power. The free navigation

of the Mississippi is an object of the first magnitude with them, and therefore interest ever predominant in the human mind would invite them to our aid. Should the Spaniards refuse us the free navigation of the river Mississippi, we shall be able to force it in a few years. All the citizens on the western waters would unite with us in the enterprize. The well appointed Navy of the King of Spain, and the numerous garrisons in the Islands and on the shores of the Atlantic, render the Spanish Empire in America difficult of access in that quarter, but from here the citizens of this new Colony will be able to penetrate into the heart of New Mexico, a country at present little known to the Europeau nations in general, or to the citizens of the United States, but the period is not far distant before the enterprizing genius of the citizens of this new colony will discover its strength, and, urged on by the immense wealth, which may be acquired, will venture to its capital, the distance of which from an immediate support would probably render the acquisition of it easy; and the immense riches gained by the first adventurers would induce others to follow. When once they find their numbers sufficient, and have established themselves in their new acquired territory the riches of the more southern provinces will engage their attention—new armies would be raised, and new enterprizes be undertaken.

The advantages that would result to the British Government by patronizing the proposed settlement would ultimately be very great. The population of this colony from the United States would be astonishing, and in the course of a few years be able, with the aid of the protecting country, to annihilate the Spanish Empire in America. This would not only extend the British Empire, but conduce exceedingly to the interest of the nation. She would be able to draw such vast sums of money from the southern provinces of America as would enable her to sink in the course of a few years a great proportion of her accumulated national debt. Under her government the natives would be happy, and from an indolent and servile people become good. industrious members of society.

The British Empire would then embrace all climates, and all the variety of production, which the earth affords; it would give her a decided superiority in the balance of Empire, and she might become the arbitress among the nations of the earth, her navies would ride triumphant in the great western ocean, and give laws to the surrounding nations. It would illuminate and extend liberty and happiness to millions of the human race now under an almost insupportable bondage, dilate the field of investigation, diffuse the benign influence of the Christian religion, and be generative of the greatest possible events all tending to the happiness of mankind. A revolution pregnant with such beneficial consequences may be effected in the course of ten or fifteen years, and with an expense so small, as to be unworthy to come into competition with the greatness of the object. The rapidity of population, the exuberancy of the soil and the facility of transportation by means of the large number of navigable rivers which intersect this country, and communicate with each other, would soon place it in the power of the citizens to furnish ample supplies of provisions for a numerous army in any part of the southern provinces bordering on the shores of the Atlantic. From this quarter the Spaniards are more vulnerable than from any other, and the general disaffection of the natives to their government would be a favourable circumstance. Your being .... has induced me to place the most unlimited confidence in you. You cannot but be sensible that a divulgence to any of the citizens of the United States will not be productive of any advantages, though it may have a tendency to injure me, I do not conceive that any injury would ultimately arise to the American Union, should an establishment be made similar to the one I have in contemplation, though it might affect the interests of a few individuals concerned in the western lands. From the European accounts there is every probability that hostilities have commenced between Great Britain and Spain; if so, the present is the most favourable time. I wish your sentiments on the subject so far as propriety will permit, and your influence provided you think the object attainable. The contemplated settlement is beyond the jurisdiction of the American States, on the western side of the Mississippi, and north of the Missouri. A further communication on the subject may be proper at another time.

"I have reason to think there were warm debates this spring in both houses "upon the Augmentation of the Army; the doors of the Senate are always shut, the "galleries of the house of Representatives were cleared during the debates on this "question. A Joint Committee of accommodation was appointed who came to a "compromise by diminishing the number of battalions to be raised, and by granting "powers to the President to call forth the Militia in the manner prescribed by the "Act passed on this subject.

"Whenever General Washington found how this business was likely to terminate, "he changed his plan, dispatched Colonel Willet to the Creek Country, with direc- "tions to endeavour to penetrate to McGillivray, which he effected at a great risk, "through the wilderness for some hundred miles, with letters from the President "containing assurances of his disposition to make a permanent and honourable peace "with them, for which purpose Mr. McGillivray was pressed to come with a number "of chiefs to New York. Excepting a few companies on the Georgia frontier the "present Military force will be employed in the Western Territory, but in what "manner I cannot at present ascertain, and this point may not yet be determined as "Governor St. Clair is just arrived from that country, and his opinion on Indian "affairs may be expected to have considerable weight. A conjecture may however "be formed of their general disposition from the proposal for provision rations called "for by the Treasury Department, these specify a variety of places, where the "deposits are to be made, and in addition to those of former years make mention of "the rivers Margot, Yazous and Tennessee, and up the last named river to the Bear "Creek, from whence it may reasonably be concluded, that the posts are to be "extended on these communications.

"I have had no intercourse with Mr. Samuel Street, the agent for the five "Nations, but have reason to think the communications concerning him are very "correct.

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"Having heard that Governor St. Clair had asserted since his arrival in this "place, that the Indians in the Western Territory are induced to continue their "hostilities by traders under the protection of Detroit purchasing their prisoners "for a sum of money, who compel such prisoners into indentures of a limited servi- "tude for the purpose of repayment and on disadvantageous terms, I judged it of "importance to come to an explanation with gentlemen in authority here on such "suggestions as these, although the officers of the King's government under Your "Lordship's orders are not directly implicated in this business. I therefore explained "the matter to 7, adding, that I was the more particularly desirous of doing so, as, "what I then communicated, did not arise from common report merely, but had "been mentioned to me, in the presence of several persons that very morning by an "officer attached to the person of the President, who said that his information pro- "ceeded from Governor St. Clair himself. I acquainted 7, that it consisted with my "knowledge, that prisoners had indeed been purchased by persons in Detroit from "the Indians, but that this had been done upon principles honourable to the parties, "and to the general feeling of humanity; that a young man, so purchased, an inhabi- "tant of Kentucky, had actually arrived here lately on his way home, but I had not "seen him, and that a procedure of the nature suggested, was as contrary to Your "Lordship's dispositions, as to the general spirit of Your Lordship's instructions to "the Officers in the Upper Country. 7 assured me, that he had not heard of the "circumstance himself, that Governor St. Clair had communicated many things "respecting the excesses committed by the Savages, to which the Government had "previously been strangers; although no considerable stroke had been struck, yet "the aggregate amounted to some importance, that nothing had appeared from the "conversations with the Indians, which marked anything unfriendly in our Govern- "ment; they indeed had said when proposals were made to them, that they must "consult their father at Detroit, but nothing further.

"7 added that circumstances rendered it probable, measures would shortly be "taken for an Expedition into the Indian Country in that quarter, and he mentioned

'it to prevent any alarm at our posts, although he relied of my not speaking of it 'here; but he did not say against which of the nations beyond the Ohio this expedi-'tion was intended to be directed."

No. 25.—LORD DORCHESTER TO MR. GRENVILLE.

(*Canadian Archives, Series Q, No.* 46-1, *page* 73.)

QUEBEC, 25th September, 1790.

SIR,

I inclose some further communications received on the 22nd instant.

I am with much respect and esteem
Sir
Your most obedient and most humble servant,
DORCHESTER.

The Right Honble
WILLIAM WYNDHAM GRENVILLE.

"Last night 21 sailed for London; he is much esteemed by the President, and a 'man of some knowledge, awkward in his person and manners, rather self sufficient, 'and apt to entertain high notions of his own importance."

"22 will sail to morrow for London; this gentleman is not considered to be a 'man of capacity either in political or in commercial matters, and it is understood 'that no salary is annexed to his employment."

No. 26.—LORD DORCHESTER TO MR. GRENVILLE.

(*Canadian Archives, Series Q, Vol.* 49, *p.* 82.)

QUEBEC, 10th November, 1790.

(No. 73.)

SIR,

I inclose certain communications received on the 27th and a further continuation thereof received on the 30th of last month. (A. & B.)

I am with much respect and esteem,
Sir,
Your most obedient and most humble servant,
DORCHESTER.

The Right Honble
W. W. GRENVILLE.

A.

"General St. Clair has returned to his government, after a very short stay, and if 'rumour may be credited considerable exertions are making for the Indian War. 'Mr. St. Clair early in life was an officer in the King's service, and afterwards a Major 'General in the late American Army, he is not a man of much capacity, either in 'military or civil matters; but he is considered to be an officer of firmness, experience 'and fair private character. Brigadier Harmar, the second in command, has been 'usually at Fort Pitt, although not deficient in understanding he is said to be fre-'quently intoxicated; Majors Wyllis and Doughty are officers of merit, the latter 'particularly, who is Commandant of the Artillery, is a man of talents and capacity, 'these Gentlemen are all in the Continental or regular forces, but many officers are 'settled in different parts of the Western territory, who have activity, knowledge 'and inclination to lead bodies of hardy militia with resolution and ability.

"Clothing and necessaries for the regular troops were lately sent from hence to "Philadelphia, by water on their way to Fort Pitt. If any particular cordiality has "existed between Governor St. Clair and the Spaniards, I am convinced it must have "been without authority from this government; a smuggling trade has been carried "on for some time past between the Western Settlers and the Intendant at New "Orleans in the Article of Tobacco, in which many individuals are concerned; this "traffic is prejudicial to the Spanish Revenue, as a large price is paid for the Tobacco "brought down the Mississippi, on the presumption that they are the produce of "Louisiana, and they are shipped to old Spain on account of the Crown, but this as "well as every other indulgence shewn at present by the Spaniards to the Exports "of the Western Settlers is perfectly inadequate to the condition of that rising "country, ready at this moment to open the Mississippi by arms; and I am not "without an idea, that this would actually have taken place in a few months, not-"withstanding any endeavours of the general government to prevent it, if Spain had "been involved in a war, and provided the Indian expeditions now in agitation shall "prove successful.

"The inhabitants of the Western Country wish New Orleans to be in our posses-"sion, as the best means of getting a good price for their productions.

"The Atlantic people in general wish the navigation to remain closed, from "their dread of a rivalship, especially in the West India market.

"The executive Government are anxious to possess it themselves, in order to "connect and consolidate both sides of the Allegany Mountains, knowing that "although the Western exports must issue from the Mississippi, their imports will "to a certainty be conveyed through the Atlantic States. The free navigation of "this river, whether to have been secured by the possession of New Orleans, or by "the erection of a post in a preferable situation, was I am convinced the boon of "all others the most likely to have induced the States to have taken an active part "against Spain; they do not wish for a West India Island at this time, sensible that "they have no marine to protect it, these remarks apply to the executive govern-"ment.

"I have not been able to learn that any treaty or Conference has been held on "the Wabash river, or that any Spanish Agent has been there.

"I am confirmed in my ideas respecting the seafaring people in New England, "in case a rupture with Spain had actually taken place. I do not think either the "General Government, or the State Governments would have repressed the pri-"vateering spirit of that hardy enterprizing people, who have suffered more by the "Act of Independence than any part of this country, from the decay of their ship "building, and the effect which the dismemberment of the Empire has produced on "their oil and fish in foreign markets.

"As soon as the Presidents speech to the Legislature at the opening of the late "sessions reached Holland, and which amongst a variety of other objects recom-"mended the taking measures for funding the public debts, the house of Van Stapp-"hurst wrote to the Secretary of the Treasury, offering to open a loan to the extent "of three millions of dollars for the use of the States, which they would guarantee; "they demanded an interest of five per cent. for the subscribers, with an additional "percentage for their own risk and trouble. It has been asserted here that Colonel "Humphries is gone to Europe to negotiate this business; it is on the other hand "supposed, that his objects are in England.

"Colonel Walker who was an aide de camp to General Washington during the "war, has lately sailed from hence to London, this gentleman is the Naval officer, "at this port with plain, unaffected manners, he is a man of sense and discernment "and superior to 21 in many respects. Mr. Walker is by birth an Englishman, "although he has been many years here, and his father, who is a brewer near "Knights bridge has pressed him greatly for some years to pay him a visit; to "which he has at length consented, whether Mr. Walker has anything in charge "of a public nature I do not know, but he has always been on the best terms with "the President."

7, 23 is a man of capacity, but apt at particular times to give himself up too much to the impressions of his own mind.

From the Duke of Leeds's reply to 23's first application I confess I did not think favourably of the prospect, although it was far from being conclusive. The June packet brought us accounts of his interviews with Mr. Pitt; and from 23's own detail of what passed, there was a something in his conduct on that occasion, which I confess I do not altogether approve.

"It strikes me as possible that 23 has been occasionally out of England, has he been in France?"

Not that I know of; and if 23 has cultivated an intimacy with the Ministers, of any other power in Europe, or has caused suspicion on that ground with respect to France, or elsewhere, he has no authority for so doing, it occurs to me that he was very intimate with Mons. de la Luzerne the Ambassador of France now in London, when he was Minister in this Country; possibly from that circumstance he may have been more frequently there, than prudence ought to have dictated, and the knowledge of this circumstance may have produced a greater reserve on the part of your Administration; these ideas strike me, although I have no ground to go upon.

"Do you wish to have a West India Island?"

I answer without hesitation No, we do not, it is not in our contemplation. We wish the liberty of trading in that quarter, at least this is decidedly my own opinion, we should consider the Sovereignty of a West India Island a burthen. Our territories are already very extensive, and I can assure you, the idea of having possessions further to the Northward than our present boundaries would be esteemed an incumbrance, *with an exception to the Forts.* On that score therefore I cannot foresee any solid grounds for a national difference with you; to the Southward the case is very different. *We look forward to procuring the means of an export of our Western Country, and we must have it.* We cannot suffer the Navigation of the Mississippi to remain long in its present state. That country is at this moment ready to open it if they met with the smallest encouragement, and undoubtedly we look forward to the possession of New Orleans.

"Since my arrival here I have made it a point to preserve the strictest silence with respect to (23) yet I have more than once had occasion to hear his name mentioned by his relations and their acquaintances; it came out in their conversation that 23 is greatly liked in London, that he is frequently with the French Ambassador Monsieur de la Luzerne, and with Mr. Fox, who had expressed himself to be greatly pleased with his character and company."

Yes, it is so reported. I believe it in some measure to be true. I am more inclined to be of this way of thinking from extracts of letters which I have seen of 23, in which he throws out, that such and such were Mr. Fox's opinions on particular objects, and from the former intimacy which subsisted here between 23 and Monsieur de la Luzerne, as well as from Mr. Fox's line of politics during the war, his general character and from my knowledge of 23 himself.

I do not question the gentleman's sincerity in following up those objects committed to his charge, but to deal frankly with you, I have some doubt of his prudence, this is the point in which he is deficient, for in other respects he is a man of great genius, liable however to be occasionally influenced by his fancy, which sometimes outruns his discretion.

"Mr. Fox is a very able man, very generally respected, and his character as a "Statesman is known in the world, but professing every possible respect for Mr. "Fox and for Monsieur de la Luzerne likewise, it is for your consideration how far "a gentleman in 23 situation ought to form intimacies with persons in public "political situations, excepting they are in administration."

I am quite of your opinion, and this amongst other causes led me to remark, that it is greatly desirable, that this negotiation should be transferred to our seat of Government. However we have no reason on the whole to question Mr. Pitt's good dispositions towards us, on the contrary he seemed personally disposed to grant us more than other members of your Cabinet thought advisable for your general commercial interests. (p. 83.)

B.

"The impression of a pacification with Spain caused a general dissatisfaction; "the seafaring people here and in New England were thwarted in their private privateering plans, the agricultural interest was disappointed in the hope of high prices for "grain of all sorts, mercantile men and ship owners had flattered themselves, that "this war would have given them a share in our carrying trade, and a beneficial "commerce with the Spanish West India Islands, that class of men who are from "principle attached to the glory and the welfare of the Empire, had their enthusiasm wound up to a pitch of extravagance upon this occasion; they thought that "we should have availed ourselves of the present moment to ruin the marine of "Spain, which they imagined an easy matter, and they fancied they had discovered "a moderation on our part at this crisis, to which the conduct of the Court of "Madrid, from the part she took during the late war, was no way entitled; the "western interest had anticipated our immediate possession of New Orleans, which "of all events, they view as the most important for them, from its expected effects "on their exports, and the government of this country had all these objects in satisfactory contemplation, except the first, which they dread, as well as the impatience "of the western people which may involve them prematurely in hostilities with "Spain; to these considerations may be added the increasing importance of the "States with the belligerent powers, if they preferred peace, their having an "unfettered choice, if their interests might have been promoted by taking a share "in the war, and their hope, that Spain to court their friendship might have given "them the free navigation of the Mississippi, if not, that we perhaps might have "seized New Orleans, or if neither of these events took place, that the Spanish "Monarchy might have been so crippled by the war, as to have left her North "American frontier in a state of imbecility, if no greater calamity should befall her; "all these prospects, and others to which I am a stranger, vanished upon the "appearance of the establishment of the public tranquillity."

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7. I have already explained my opinions very fully on the mutual advantages, that must result to the two countries from an approximation in commercial matters in the first instance, foreign nations in commerce are guided solely by their respective interests in whatever concerns their intercourse; between you and us there are other circumstances; originally one people, we have a similarity of tastes, of language and general manners. You have a great commercial capital and an immense trade, we have comparatively no commercial capital, and are an agricultural people, but we are a rising country, shall be great consumers, have a preference for your manufactures, and are in the way of paying for them; You have considerable American and West India possessions, our friendship or enmity may soon become important with respect to their security, and I cannot foresee any solid grounds of national difference between us; I do not think the posts are to be

considered in this light, and we have no desire to possess anything to the northward of our present boundaries as regulated by the peace; but the navigation of the river Mississippi we must have, and shortly, and I do not think the bare navigation will be sufficient, we must be able to secure it by having a post at the mouth of the river, either at New Orleans or somewhere near it; there are reports, that the Spanish Government are disposed to change their system, but this I doubt, for it is so different from their national character.

You know we have two parties with us; there are gentlemen who think we ought to be connected with France in the most intimate terms, and that the Bourbon compact furnishes an example for us to follow; there are others who are at least as numerous, and influential, who evidently prefer an English connection, but the present condition of Great Britain and the States is favourable to the former party, and they are zealous to improve it, the present therefore is the moment to take up the matter seriously and dispassionately, and I wish it done without loss of time.

We consider ourselves perfectly at liberty to act with respect to Spain in any way most conducive to our interests, even to the going to war with that power, if we shall think it advisable to join you.

"When Mr. John Jay conversed with the Count d'Aranda at Madrid, respecting "the boundaries between Spain and the American States, he requested the Count to "declare what were the limits claimed by his Sovereign, the Spanish Minister ran a "line upon the map from the head of the navigation of the river St. Mary to the "Muscle Shoals on the Tenesee river, and following its course and that of the Ohio "down to their junction with the Mississippi.

"The Vermont and New York Commissioners broke up yesterday, and the follow-"ing is said to be an outline of their proceedings.

"The independence of Vermont is acknowledged by this State, and the bound-"ary of 1788 is confirmed, with an exception to the Isle la Motte in Lake Champlain, "which is ceded to New York. The grants by New Hamshire are to be the valid "ones, and with respect to the citizens of New York holding lands in Vermont under "New York patents, the Vermontese Commissioners have engaged that their legisla-"ture shall pay thirty thousand dollars to the legislature of New York in four years, "the occupiers of the disputed lands giving at the rate of ten cents of a dollar per "acre to the New York claimants." (p. 93.)

No. 27.—LORD DORCHESTER TO MR. GRENVILLE.

(*Canadian Archives, Series Q, Vol.* 49, *p.* 172.)

(No. 77.) QUEBEC, 20th November, 1790.

SIR,

I inclose a further continuation of certain communications received on the 17th instant.

I am, with much respect and esteem,
Sir,
Your most obedient and most humble servant,
DORCHESTER.

The Right Honble.
W. W. GRENVILLE.

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7. I have conversed with Mr. Sargent, Secretary to Governor St. Clair on the affairs of the Western Territory; he tells me it had been already ascertained, that a

trader had purchased a prisoner from the Indians, and another at a distance from Detroit bought some plunder from a party of savages on their return from the frontiers, but on the whole there is no foundation for the idea that you support them in their hostility towards us; however, in the critical state of the two countries, if I may be permitted to say it, prudence would dictate the most pointed instructions to your officers at Detroit.

"You are going from hence to Philadelphia, if anything should happen that I "might wish to communicate to you, you can point out a mode of doing it by "letter?"

That would be precarious, there seems a necessity of my seeing you.

"Things wear the appearance of war from our information of yesterday by the "packet."

I have seen the determination of the National Assembly of the 25th of August respecting the Family Compact, the cordial support of France seems at present very questionable, I cannot help thinking that the friendship of this country is not unimportant to you even at present, and will become infinitely more so; the resources of France and Spain, if well administered, are very great, and the securing the affection and the good will of the States may have weight in political matters; I speak with great delicacy certainly of what ought to be your policy with regard to us, from my natural bias in favour of this country, but I am inclined to believe that it might be an advantageous measure, for you to open your West India Islands to us under certain limitations at the commencement of a war; it would afford you a cheap and very plentiful supply; I only throw out this idea as it strikes me, and it might take place for a short time, as a mere matter of experiment.

"New Orleans I imagine is of great importance to you?"

The rapid increase of our Western Country is such, that we must possess the outlet in a very short space of time, whatever individual interests may be opposed to it; the general advantage of the States points it out most evidently.

"I cannot help thinking it would be greatly to the benefit of your Western "Territory, if you were to conclude a just and honourable peace with the Savages "within your limits, in a contest between you and them, I am inclined to believe, "you have more to lose, than they have."

It is consistent with our system to terminate Indian differences by accommodation; in the present instance Mr. St. Clair had made many previous arrangements, and matters had gone such a length, that the General Government could not give its negative to this business, without disobliging our western people, one tribe have some causes for complaint, the others have not, it is somewhat late in the season, and possibly the present expeditions will have no great effect, but they will shew the disposition of our government; the Militia is numerous and the prospect of an early campaign next year, may make some impression. General Clarke tells me that Indians in that part of the world are in the practice of burying their grain to conceal it, and that they effect this with much address, and consequently usually with success.

"We have now a probability of a Spanish war and a possibility of a French one, 'I trust it will not interrupt our tranquillity with you?"

It is the determination of all the Gentlemen, who take a leading part in the affairs of this country, to preserve an honourable attention in their engagement with foreign powers; I speak to you merely the opinions of an individual. It does not appear to me from the present condition of things, that we shall consider it to be incumbent upon us to take any part with France in a contest, in which she is altogether an auxiliary, on the contrary as the matter strikes me at present it will be for our consideration, whether we ought not to avail ourselves of the period in which Spain shall be involved in a war to secure those points which are in contest between us and that power; things may change, but as they are circumstanced at present, we are in my opinion perfectly at liberty to follow up our own interest, and certain points have occurred since the peace, which leave us perfectly free with respect to France, *even if she should go to war as a principal.*

I think it proper also upon this occasion to declare positively and directly, that no treaty, stipulation or agreement of any sort subsists between us and France, excepting the public printed Treaty, which is universally known.

"I trust the judicial branch of your Government will apply an effectual remedy to these complaints made by our Merchants against the laws passed since the peace, especially in the Southern States, which impede the ordinary course of justice between creditors and debtors?"

I have the most perfect confidence that this will be the case, our Judiciary has declared Treaties with Foreign powers to be the law of the land; the Judges in general are men whose opinions on this subject are perfectly well ascertained, and nothing but an insurrection in opposition to their decisions can in future prevent the regular and usual course of justice.

I admit that individual losses have arisen from the delays hitherto too often practised, these are not to the extent commonly represented, taken in the general, however prejudicial to individuals, and such proceedings are by no means defensible.

From various communications made to me, as well from the Eastern as from the Southern States, our Government acquires daily strength and consistence in the public mind, it is found to produce many beneficial effects to the Nation at large; I am persuaded when our census is completed we shall have at least Three Millions and a half of people, at this time we are capable of making considerable exertions, even maritime ones, if from circumstances it became a measure of government to encourage them, and I must beg leave to repeat its being my opinion, that looking forward, particularly to what may be the expected condition of this country, in a few years, it would be an act of wisdom in the Minister of Great Britain to attach and connect the States upon political as well as commercial considerations.

It may not be improper to mention to you at this time, that it was intended last summer to have written to Lord Dorchester on the subject of our Eastern boundary with your provinces, for which purpose directions had been given to the Secretary of State, but the matter was put off from the expectation that his Lordship would have been here before this time.

"In compliance with the residence bill of last Session, the public offices have been removed from hence to Philadelphia, where they are now opened, and the chief Justice is the only officer of Government, who intends to reside here.

"That part of my last communication relative to the boundaries of Vermont, which respected the Isle la Motte, was not accurate as will appear by the printed declaration of the commissioners, published in the newspapers.

"There are great discontents in Georgia, in consequence of the late Treaty with
"the Creek Indians.

"The Spanish Governor of East Florida has lately made public an order of the
"Court of Madrid dated the 17th of May respecting negroes, which marks an im
"proving disposition on the part of that Government towards the States of America
"the proclamation on this subject has been printed in the newspapers."

No. 28.—CONVERSATION RESPECTING THE WESTERN COUNTRY.

(*Canadian Archives, Series Q, Vol.* 50–1, *p.* 97.)

PHILADELPHIA January 31st 1791.

A Conversation: Mr. Hamilton, Mr. William Macomb of Detroit and Lieutenant Colonel Beckwith.

Lt.-Col. B.—Mr. Macomb I think it for the honour of the King's Government for its interests, and I really believe it for the interests of this country also, that the true state of things in the Western Country should be known, and if there are any misconceptions or errors arising from misinformation it seems desirable that they may be explained, under these impressions and with Mr. H————'s permission, I shall ask you a few questions, and if you have no objections to them, I hope you will answer them in as far as may be consistent with your knowledge.

Mr. H.—I shall be happy to hear everything Mr. Macomb may have to say on this subject.

Mr. Macomb.—A conversation on this subject passed between Lt.-Col. Beckwith and me on our journey from New York to this place a few days ago, I am perfectly disposed to communicate everything I know on the subject.

Lt.-Col. B.—You have lived several years at Detroit?

Mr. M.—Yes, I have.

Lt.-Col. B.—When did you leave it?

Mr. M.—The 28th of September last.

Lt.-Col. B.—Have you a general knowledge of the Western Country? And of the different tribes?

Mr. M.—I have a general knowledge of that part of it which lies toward Detroit, but am quite ignorant of the country as you approach the Ohio; I know something of the Indians in general, and have a particular acquaintance with several tribes.

Lt.-Col. B.—Were you ever at the Miami Settlements which have been destroyed by Brigr Harmar? and do you know what tribes live in that neighbourhood?

Mr. M.—I have been there and know the country round it very well, it lies about two hundred and forty miles from Detroit, there are not more than about one hundred and twenty-five men who reside on that point of land described by General Harmar, in the neighbourhood there are other Indians who obtained permission to settle there about two years ago for the purpose of trade.

Lt.-Col. B.—Are you acquainted with the traders established there?

Mr. M.—Yes, I know them very well, and I am very sorry to observe the language used by General Harmar in his public letters, relative to those Gentlemen for such I must call them, and shall ever so consider them; these towns were the principal trading Posts in the whole Western territory, and six or seven very respectable houses were established there, three of the gentlemen are magistrates and all of them men of unblemished reputation. Ever since the commencement of the disturbances on the frontier of the states by the Wabash Indians, which took place I believe the very year after the peace, the gentlemen on all occasions recommended pacific measures to the Indians, in the neighbourhood of the Miami Towns and I do believe they have rescued many prisoners, and have in the course of some years past laid out to the amount of four hundred pounds in this way without the

smallest idea of recompense of any sort, as they liberated these prisoners immediately and sent them through a friendly Indian Country to Fort Pitt.

Lt.-Col. B.—Do you think it possible that these gentlemen have at any time either directly or indirectly induced any of the Savages to commence or continue warfare with this country?

Mr. M.—Impossible, it would be the ruin of their trade, and the present Indian war will cause many bankruptcies at Detroit.

Mr. H.—This is a strong circumstance in opposition to the idea entertained by our Military men, but however prejudicial a war may be to that part of your trade lying towards the Ohio, may it not operate otherwise on your fur trade to the northward and westward?

Mr. M.—We have only one trading post in the direction of Michilimakinac and that is of no great importance, the great North-West trade is unknown to us at Detroit.

Mr. H.—The Savages may have been induced to continue their depredations on our frontiers by the ready sale of their plunder, and in this the traders may have had an interest, may they not?

Mr. M.—Certainly not; the Indians who have for years past been occasionally down on your frontiers, have, I dare say, carried off a variety of articles from the settlements, it is their practice to carry away everything they find, but all articles of household furniture that are bulky they throw into the Rivers and such clothing as they cannot use; they are fond of finery, they wear silk shirts made of gowns, handkerchiefs and other parts of wearing apparel, and with respect to horses, they retain them for their own use.

Lt.-Col. B.—Do you think that any presents have been made to the Indians at the Miami Towns during the last Autumn? Or did you ever hear that presents were made them by order of Government at that place?

Mr. M.—Never, I am persuaded.

Lt.-Col. B.—Where are they usually made?

Mr. M.—At Detroit formerly, but of late years it has been found inconvenient to deliver them there, and it has been the regular practice to give them at the mouth of the Miami River, where it falls into Lake Erie, nearly forty miles from Detroit and two hundred from the towns lately destroyed.

Lt.-Col. B.—Do you think that presents can be given in any shape to the Indians by our Indian Department at Detroit without the order or approbation of the officer commanding there?

Mr. M.—You know very well that nothing can be issued from the King's stores without the approbation of the officer commanding the troops, and no presents can be made but in the presence of a certain number of officers belonging to the Garrison ordered on that duty, this was the case last Summer when Sir John Johnson was there. I was with him on that occasion at the mouth of the Miami River already mentioned when the sale of a large tract of country was compleated. Sir John Johnson took every opportunity of recommending peace in the strongest terms. I cannot help also observing that General Harmar did not attack the most hostile tribes, on the contrary, I think that the majority of the Indians settled round the Miami Towns were disposed to be quiet.

Mr. H.—We sent to the Miami Towns during the summer and made several offers to them, to which they gave hostile replys and this determined the pointing the expedition against them.

Mr. M.—I must think that the Indians settled on the Wabash were infinitely more hostile and I have understood that Major Hamtiamock found them so.

Mr. H.—That officer destroyed certain towns and spared others from the ideas entertained of the dispositions of their owners.

Lt.-Col. B.—I have one question more and it is a question of opinion altogether, What do you suppose will be the effects of the late expedition on the Indian tribes in general?

Mr. M.—Their uncommon success, their having\[lost] but one man only in the first action and nine in the second lead me to believe that they will become infinitely more troublesome than formerly, and those tribes who have suffered may be expected now to join the others, whatever may have been their former dispositions.

Mr. H.—This will be so, and we have already found the effects of it, by the latest accounts from that country,

Mr. M.—If General Harmar, when he reached the Miami Towns had instead of attacking and destroying them sent a message and desired the Indians to make peace, he might have easily effected it, in my opinion, and this would have been a better way than the sending a single messenger.

Mr. H.—I think that not improbable, this conversation has given a new light to many things in the Western Country and I am much obliged by it.

No. 29.—HENRY MOTZ TO LT.-COLONEL BECKWITH.

(*Canadian Archives, Series Q, Vol.* 50–1, *p.* 72).

QUEBEC 10th February 1791.

SIR,—Lord Dorchester has received your letter of January, intimating that the exertion of his influence with the Western Indians to bring about a general tranquillity, would be considered in the United States as a friendly act, and that there was a disposition to give those Indians security in their lands, and to take every fair method of making them quiet and easy.

His Lordship laments the present hostilities very much, and wishes it to be fully understood that the being instrumental in putting an end to these calamities would give him great satisfaction.

But there the matter rests, the means to effect an accommodation not depending upon himself.

You will easily perceive, that His Lordship can take no steps without being authorized by one or other of the contending parties, nor without being specifically informed of their designs, claims and pretensions.

I have the honor to be, &c.,

HENRY MOTZ.

Lieut.-Colonel BECKWITH.

No. 30.—HENRY MOTZ TO LIEUT.-COLONEL BECKWITH.

(*Canadian Archives, Series Q.*, 50–1, *p.* 73).

QUEBEC 10th February 1791.

MY DEAR COLONEL,—I am ordered to acknowledge your letters of January, marked K, L, M, and to apprize you, that Lord Dorchester having no convenient opportunity at this time of writing to England, leaves it to yourself to communicate, what you may judge interesting, by a direct conveyance, particularly if His Lordship's answer to the application for his interference with the Indians should lead to any furthersteps of consequence in that business.

Mr. ——— seems to be surprized at a certain reserve in England towards Mr. M———. His Lordship has had no accounts of the progress of his negotiation; but thinks it natural enough, that the discussions with Spain should have occasioned some delay.

There is indeed another cause, from the influence of which it is to be hoped Mr. M——— is free, but which His Lordship is inclined to think has operated ever since the peace against a connexion between the two countries. No doubt many Gentlemen and some of high and distinguished character in the States, see through the clouds that have been raised with so much industry to mislead that people, but the general spirit and language for some years after the peace have by no means been of

conciliatory nature. This disposition appears of late to have in a great measure bated, particularly on the shores of the Atlantic; though there are still some indiations of it; but in the western territory it would seem great pains are taken to eep it up at its original height. As this spirit operated, it would naturally produce corresponding reserve on the part of our Government. And perhaps the wisest lan, that could be followed by Great Britain, under such circumstances, was to ave the States time to reflect, and by their own good sense to find out that course, hich is most consonant to their true interest.

It is not known here, whether any presents were issued to the Indians in the iamis Country about the time of Mr. Harmar's expedition; but if it was the case, rtainly none were given with a hostile intent.

No officer of the Indian Department would presume to act so opposite to his structions, the contrary conduct having been uniformly enjoined upon all occasions ver since His Lordship's command in this country, with regard to the Indian epartment as well as the King's Troops.

If the intelligence concerning Mr. Elliot shall prove true, His Lordship thinks may be well for you to wait his arrival, and after communicating with him, to ontinue such further time, as you may conceive to be of advantage to the King's ervice.

I am, &c.,

HENRY MOTZ.

ieutenant Colonel BECKWITH.

No. 31—LORD DORCHESTER TO SIR JOHN JOHNSON.

(*Canadian Archives, Series Q., Vol.* 50-1, *p.* 76.)

QUEBEC, 10th February, 1791.

IR,

I have often expressed my concern at the hostilities between the United tates and the western Indians, and that I should feel great satisfaction in being nstrumental in putting an end to these calamities.

I do not know how far this may be in my power, but wishing to be fully prepared, in case the opportunity should offer, you will be pleased to take such means s you may think most effectual to learn, with certainty and dispatch, the nature nd extent of the specific terms, on which the Confederated Indian Nations may be isposed to establish a general tranquillity and friendship, with the United States, ogether with the grounds of equity, justice, and policy, of their claims and pretensions on which they may think it expedient, and incumbent on them to insist for heir honor and interest.

As the Indians themselves are the best judges of the extent of their own confidence, they should be made clearly to understand that there is not the smallest esire to obtain any knowledge of their views and designs, but what they themselves of their own free choice may think proper to communicate.

I am, &c.,

DORCHESTER.

ir JOHN JOHNSON, Bart.

No. 32.—HENRY MOTZ TO LIEUT. COLONEL BECKWITH.

(*Canadian Archives, Series Q., Vol.* 50-1, *p.* 106.)

QUEBEC, 6th May, 1791.

IR,

The contexture of communications is easily accounted or from his personal views. It is rather surprizing that this effect should have scaped the discernment of those, who were acquainted with the nature and extent

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MINUTE RESPECTING PEACE WITH THE WESTERN INDIANS.

(*Canadian Archives, Series Q, Vol.* 50–1, *p.* 94.)

the United States were at war with a great or respectable nation the case different, a foreign mediation under certain circumstances might be in that case the manner of the application would be official and of course v public officer of that country abroad, but to the administration at home. resent occasion the thing in its existing shape is inadmissible, and I could mit such a paper to the President's consideration. The objects of warfare ain vagrant Indian Tribes who cannot be considered to be on the footing on uch a system as this would place them. However it may be our interest and o close hostilities, which are attended with trouble and expence, and which may be excited by our frontier people from interested motives, as an Indian is to the spending money in their country as well as to the gratification of lividuals resentments.

uggesting the measure of an interference or rather of a pacific commenda- the part of Lord Dorchester, I acted altogether as an individual, and my nt led me to this, from the sense of the thing, and from my conceiving the ing such a war would never be any object for such a government as yours, contrary I have concluded from those explanations which I have received by eans, of matters in the Western Country, that your trading interests would vanced by the reestablishment of peace. We shall take occasion in the course summer to mark a pacific disposition to the Indians in general and to those le Tribes in particular, we shall suggest to them the idea of meeting to discuss bjects of difference, and if Lord Dorchester would suggest that a friendly nodation and settlement would be a pleasing circumstance to your Government ght have a tendency to promote it. In all this, I do not speak ministerially to although I am sure the thing is so, and that it would not only advance the et but tend to forward the establishment of those greater national points which ve frequently touched upon in our different conversations.

No. 35.—LORD DORCHESTER TO LORD GRENVILLE.

(*Canadian Archives, Series Q, Vol.* 52, *p.* 169.)

QUEBEC, 27th July, 1791.

o. 97.)

Y LORD,

* * * * * *

Inclosed are certain communications from the United States.

I am with much respect and esteem
Your Lordship's most obedient and most
humble servant
DORCHESTER.

The Right Honble
LORD GRENVILLE.

NEW YORK, June 14th, 1791.

A Member of the Senate. The establishment of a Collector of Customs at Alburgh was a measure of our legislature at the close of the last Session, and I had a large share in it, from the part I took in the Confederation of Vermont; I consulted the Vermont Commissioners on this subject, they produced a map, and the position of Alburgh was fixed on as an eligible one, without the most distant idea of its being within any of the Forts.

PHILADELAHIA, June 16th, 1791.

Supposed 7.—I believe I told you during the winter, that Colonel Smith went to England on private business merely, in part for his father in law, Mr. John Adams, and he had other personal objects. Whether it was supposed in London that Mr. Smith had political objects there or not, I cannot say, but after certain explanations he had a conversation of some length with Lord Grenville, the general scope of which was pleasing and promising; it placed in a decided point of view its being the determination of your Cabinet to enter on the consideration of commercial subjects between the two countries, and after mentioning that Mr. Elliot had declined his appointment as Minister to the States, his Lordship informed Colonel Smith that it was the determination of Administration to have a minister in this country, in three months from that time; this happened early in April. His Lordship then asked Colonel Smith, what sort of minister would be most pleasing to this country, who replied, that an English gentleman would be preferred, or words to that effect.

One part only of this conversation was of a nature to excite some regret, or rather a doubt on our part; Lord Grenville turned the conversation on our present war with the Savages in the Western Country, his Lordship said, he was sorry to find from our newspapers, it was more than insinuated that Great Britain indirectly encouraged these depredations; his Lordship disclaimed this in its utmost extent, observing that it had already proved injurious to our commerce, and if protracted would become infinitely more so, that he hoped the idea of totally extirpating these nations was not seriously entertained in the States, as Great Britain could not view this with indifference.

Colonel Smith said to this, that these savages had committed a variety of depredations, and that the States were compelled to make war on them in their own defence. To which his lordship replied, that he hoped the States would consider of it.

Mr.————then proceeded to the following purport: This part of His Lordship's conversation is liable to two interpretations, the one conveys the idea of its being merely the wish of your Government that these hostilities should be brought to a close, as it injures your trade to a certain extent; the other goes further, and suggests its being your intention to take a certain part in the progress of this business; I feel no difficulty in avowing it to be for our interest to make peace with the Indians, with whom we are now at war, whenever we can do it on proper terms; but in the present condition of affairs, we have no other part to take but to proceed, our very safety requires it, and I should feel extremely concerned, if a fair prospect for a happy settlement of the affairs of the two countries should be prevented by a consideration of this comparatively trivial nature.

The conversation then turned on a late application from Mr. Key, the Collector of Customs at Alburgh; Mr.————said, I have received a letter from Mr. Key, he had no authority whatever for the application you mention, and I have reason to consider him as one of those busy characters, who are anxious to shew their own consequence; I have written to him in such terms, as will I trust obviate any sort of inconvenience in the discharge of his duty. I understand that the place fixed upon by law for the Custom house is at least thirty miles from Pointe au fer, being situated at the mouth of Onion river; I am not acquainted with the country myself, nor have I any plans of it; I expect to hear from Mr. Key in a few days.

Some circumstances relating to the conduct of persons in the neighbourhood of Point au fer were then mentioned to Mr.————.

No. 36.—RIGHT HON. HENRY DUNDAS TO LORD DORCHESTER.

(Canadian Archives, Series Q., Vol. 52, p. 206.)

(No. 1.) WHITEHALL, 16th Sept. 1791.

MY LORD,

Your Lordship's Dispatches numbered 79 to 100, inclusive, have been received, and with their several inclosures have been laid before the King.

His Majesty on the perusal of some of those Dispatches, felt great concern that the disagreement between the American States and the Indians had been carried to such a length as to terminate in hostility, and from some of the communications which have been lately made to your Lordship from the upper country, there is but too much reason to apprehend that if the Americans continue to assert their claims to the Indian Lands, the contest will not be likely soon to terminate.

I have the satisfaction of informing your Lordship that the Instructions which you have given to the Officers under your orders, respecting the line of conduct to be observed by them, appear to be of a nature perfectly consonant with His Majesty's sentiments, and His Majesty earnstly trusts that whatever may have happened between the contending Parties, His officers have constantly observed the strictest system of neutrality, and have in no degree involved this country in these unfortunate disputes. A steady adherance to that line of conduct is rendered the more necessary by the suspicions entertained and the language held by persons in the service of the United States, to counteract the effect of which is one of the objects mentioned in the instructions to Mr. Hammond.

His Majesty conceives it to be indispensably necessary to the interests and happiness of the American States, and equally so to the Indians, that some plan should be formed for adjusting the several matters which have drawn them into this controversy; But exclusively of any consideration which might result from this opinion, it is but too evident that unless some means are taken to put an end to the further progress of the war, this country must sooner or later be placed in a very unpleasant and embarrassing situation; On this ground, as well as a desire on the part of His Majesty to show every consistent mark of attention and regard to the Indian Nations, who have given such decided proofs of their attachment to the British Interests, it is His Majesty's pleasure that every means which your prudence can suggest should be taken by you for healing the differences which at present exist, and for effecting, if possible, a speedy termination of the war.

If from the conduct which Mr. Hammond is, on his arrival in America, directed to hold in this respect, any overtures should be made by the American States to him, for the advantage of your interposition to effect that desirable end, your influence cannot be better exerted than by prevailing on the Indians to listen to any reasonable propositions to that effect: In any arrangement however which may be proposed by you, the chief object to be attended to will be that of securing to them the peaceable and quiet possession of the Lands which they have hitherto occupied as their hunting Grounds, and such others as may enable them to procure a comfortable subsistence for themselves and their families. If this point can be accomplished, it will be extremely desireable that the extent of such lands should be clearly and distinctly ascertained, and if it should fortunately be effected in consequence of His Majesty's interposition, it will be extremely expedient that measures should be taken by you for assisting the Indians in adjusting the several limits, and in forming such regulations as may appear to be necessary for placing their affairs on a permanent foundation. Your Lordship's experience and knowledge of the British interests in America supersede the necessity of my enlarging upon these topicks, but I cannot help adverting to the consideration of our trade with the northern and north-western parts of the Continent of America. If the Indians are either extirpated from their countries, or rendered insecure in the possession of them, our trade in that quarter, and which Your Lordship and the merchants of Montreal state to be so valuable, must be much injured, and the enjoyment of it rendered altogether precarious.

The subject of the Posts in dispute between this Country and America is unfortunately connected with what I have just adverted to. The measures taken by Your Lordship for securing the possession of those Posts, as well as the several lands contiguous to the Line which separates those countries over which His Majesty, under the Treaty, had agreed to relinquish His dominion, from those over which His Majesty still retains the Sovereignty, are fully approved. The discussion of these points Your Lordship will find by Mr. Hammond's instructions, has been given in charge to that Gentleman and it is hoped that the reasons assigned for omitting on our part to fulfill the Terms of the Treaty, will carry with them sufficient weight to

induce the American Government to refrain from any step which may reduce Yo
Lordship to the necessity of adopting measures of force for putting a stop to the
proceedings. Mr. Hammond as soon as he shall be able to discover the intentions
the states on these Points will communicate the same to Your Lordship; and in ca
of your absence to Major General Clarke or Colonel Simcoe, and it will on eve
account be desireable that any proceedings which may take place on the Frontie
or any information you may be possessed of, which may throw lights on the sever
points which have been left for his discussion with the American Government, shou
from time to time be communicated to him.

I am perferctly aware of the force of Your Lordship's reasoning on the necessi
of having a person of judgment and discretion in the neighbourhood of those Po
which are situated so distant from Quebec, to regulate such measures as may
necessary to be taken on any events which may arise, and I have the strongest reas
to believe from the character of Col. Simcoe, that he will fully answer that descri
tion. His present Ideas are to fix his place of residence in a situation which seem
likely to afford him a convenient access to Detroit, the spot where that discreti
appears now most necessary to be exercised.

No. 37.—LORD DORCHESTER TO LORD GRENVILLE.

(*Canadian Archives, Series Q, Vol.* 54-2, *p.* 616.)

Lord Dorcherter presents his compliments to Lord Grenville, with enclosure
which he received from Lt.-Col. Beckwith this morning.
PORTMAN SQUARE, Nov. 15th.

No. 38.—LT. COLONEL BECKWITH TO LORD DORCHESTER.

(*Canadian Archives, Series Q, Vol.* 54-2, *p.* 617.)

PHILADELPHIA, 5th October, 1791.

MY LORD,

Upon the 1st instant I had the honour to receive Mr. Motz's letter of the 17
August, forwarded from Quebec upon the 29th of the same month, which was accom
panied by a copy of your Lordships speech to the Indian Deputies previous to yo
embarkation; having maturely considered the present state of affairs here and th
nature of this paper, I judged it to be for the advantage of the Kings service to mak
a direct and formal communication of it to the Executive Government under certa
limitations and restrictions, which I have accordingly done, and this I shall exte
to many individuals, upon the meeting of Congress; to these measures I have be
further induced from some parts of it having already reached this country althoug
very erroneously reported.

The clause which lays open the complaint of the savages, of their being attacke
on the Wabash, at the moment in which they were deliberating upon pacific measur
produced the following explanation, that this expedition had been planned early
the season; that runners had been sent by General St. Clair to the Hostile Indians, b
without effect, and that the movement had been delayed some weeks until the resu
was known.

A few days since I had notice given to me by one of His Majesty's subjects
present residing here, that three thousand five hundred regular Troops, with a bod
of Militia Cavalry and a considerable train of Artillery were on the march from th
Ohio to attack the post of Detroit; I thought it eligible to pay attention to this info
mation, from an apprehension that it might be transmitted home, although I had th
strongest grounds to think there was no foundation for this opinion, as to the obje
of the expedition, which I knew to be really in operation; I therefore immediate

stated the matter to a gentleman in office, who has formally declared that the present movement which does consist of four thousand men under the command of General St. Clair, is not directed against any of the Posts. I have reason to think that the object of this expedition is against the Indians who beat Brigadier Harmar and that it is intended to establish a strong post upon the Miamis river, which falls into Lake Erie, and to garrison it with one thousand men; from a variety of circumstances I am now certain, that this has been the intention ever since the disaster of last Autumn and if events shall render it expedient, I think it will take place. I have been assured also that the closing the present campaign with this considerable operation, however successful it may be, has by no means in view, the pressing the Indians to extremities, and that the same disposition to make a just and solid peace will continue to exist on the part of the United States.

I inclose a report of a late incursion into the Western Territory, under the command of Lieutenant Colonel Wilkinson, with a copy of a talk left by him in that country.

I hope your Lordship may have received a packet from me dated the 10th of last month, forwarded under cover to Mr. Watson, by the ship "Levant" of Liverpool.

The situation of the French possessions in Hispaniola is infinitely distressing; applications have been made thence to their Minister here for assistance, who has in consequence applied to this Government for pecuniary aid, which he has obtained to a considerable amount, as a payment in part of the debt due by this country to France, and which he has expended in various ways for the support of the different places, blockaded and attacked by the negroes.

A riot has lately taken place in one of the upper counties of this State, but as it arose from the jealousies of certain individuals with respect to the county offices, it does not deserve much notice.

An opposition to the Excise Act has recently manifested itself in the counties of Pennsylvania, beyond the Allegany Mountains, in which District a set of printed resolutions have appeared upon this subject, and those who oppose the Excise have circulated proposals, for an association of all the Western Country to resist the operation of this Law. The Executive Government keeps a watchful eye on the progress of this business, which I am disposed to believe will have a tendency to promote a peace with the Indian Nations, in order to check by arms any excesses which certain descriptions of people in the Western Country may be disposed to commit; supported by the whole strength of the New England States, there is energy enough here in my opinion, to effect this if necessary.

I have always esteemed my correspondence with the Secretary of State to have originated in the necessity of the case, and as this exists no longer, since Your Lordships return to England, I have closed it with my letter of the 10th of September.

The President has been absent for a few weeks in Virginia on his private affairs; the Secretary of State is also out of Town, and the Chief Justice lives at New York: the Secretary of the Treasury and the Secretary at War are here; these gentlemen consider your Lordship's late speech to the Indians and the disclosure of it, as marking a very friendly disposition towards this country.

I have, &c.,

GEO. BECKWITH.

The Right Hon.
LORD DORCHESTER.

STATE PAPERS.

Correspondence with General Murray—1761–1763.

Q. 1.

1760. December 3, Quebec. General Murray to Pitt. Arrival of Col. Maitland. Vessel with clothing for 10 regiments and one with coal have arrived; the rest of the convoy have got into Halifax. Thanks for promotion; everything in this Government as he (Pitt) could wish; the nuns have never been so comfortable; the inhabitants enjoying justice and freedom; the troops well lodged and healthy. Page 1

1761. January 28, Quebec. The same to the same. News received of the King's death (George II). The new King proclaimed to-day. John Collins, master of a Newport schooner, arrested for the murder of two Indians at Tadousac, the matter settled by the medium of the Hurons. The Indians send submission and hope to be protected as subjects, and to be defended from the insults of ships' crews. The misery of the Canadians; the officers and merchants have collected nearly £600, and the soldiers have contributed a day's provisions a month to feed the most wretched. Still dreads famine and has asked help from Gage, whose Government has suffered less than that of Quebec. 3

May 13, Quebec. The same to the same. Sends sketch of the survey of Canada; expects it to be finished by August; has undertaken to take possession of the Chaudière River and its communications with the Kennebec; also of the St. John River, which empties into the Bay of Fundy and communicates with the St. Lawrence. Has sent account of the revenues to the Duke of Newcastle; recommends Cramahé for the office of Secretary. 6

July 14, Quebec. The same to the same. With duplicates of letters, supposed to be captured in one of the New York packets. 8

July 17, Quebec. The same to the same. Sends return of French and Canadian inhabitants in the Government of Quebec; there are at least 10,000 fewer than in 1759. Has not yet been able to take an account of the Indians; hopes to do so soon. The survey of the Chaudière to the Kennebec and to Fort Halifax is far advanced; shall take that of the River St. John and the communication from it to the St. Lawrence. 9

Return of the number of souls in the several parishes belonging to the Government of Quebec. 14

July 17, Quebec. Murray to the Duke of Newcastle. Sends returns of the duty and quantity of spirits entered, &c.; the quantity of British brandy imported; the encouragement to promote this trade; means to prevent the importation of French and Spanish brandy. Captured brandy from Gibraltar admitted, that being a lawful prize. Sends returns of brandy seized, suggesting that sufferers from the seizures may be shown some indulgence. The lenity he himself has shown. 11

September 20, Quebec. The same to Lieut.-Governor Belcher, Nova Scotia. The number of Acadians about Restigouche is fewer than he expected, owing to many having gone to Beauséjour and Louisbourg. Amherst's designs to remove them to the upper part of Canada. The impolicy of settling them in Nova Scotia. 37

October 4, Three Rivers. Burton to Pitt. On the King's approaching marriage which he has officially announced in his Government. 16

October 15, Quebec. Murray to the same. On the same subject. 17

Burton to Pitt. Has published the news of the reduction of Pondicherry and the victory in Germany. Page 18

Murray to the Earl of Egremont. Recommending the claims of the ladies of the General Hospital, to whom the French King owes a large sum. Statement showing the receipts and expenditure of the hospital, and memorial, signed by the superior, are annexed. 19

Belcher and Col. Foster to Murray. Agree in the opinion that the Acadians should be settled in the distant precincts of Canada, if they should be permitted at all to remain in America. 39

Murray to Egremont. Has sent a statement of the Government of Canada whilst in possession of France, pointing out the errors of administration, but abstains from recommending any specific change; the people are not ripe for the same form as in the other Colonies; want of money; recommends a currency of paper bills; one of the first objects should be the rebuilding the great church, seminary, &c., and advances might be made to the worthy and industrious, to enable them to resume business. How the plan might be carried out. The thankfulness and good conduct of the Canadians. Recommends the case of M. Raby, pilot of the fleet in 1759. Transmits letter from Governor Belcher; is afraid all the Acadians cannot be brought up this year. It does not seem right that either Acadians or Canadians should settle in the Gulph, as, if any of the islands are ceded to France, the risk would be great of an illicit trade. Respecting repairs to the castle of St. Louis and the Intendant's palace. 23

Two addresses (in French) enclosed in the letter, both of same date, (7th June); one from the principal inhabitants and the other from the clergy, both professing gratitude and submission to His Majesty's government and also Raby's memorial. 31-33-35

September 7, Quebec. Murray to Egremont. Hocquart's claim to land in the Gulph of St. Lawrence below Anticosti; invalidity of his title; what had been done to lease it to M. Lafontaine, &c. 41

A note by Hocquart respecting his title enclosed. 44

September 7, Quebec. Murray to Egremont. Entering confidentially into the subject of the claims of Hocquart and others to lands, which could easily be trumped up and the danger of recognising them should liberty to dry and cure fish in the Gulph be granted to the French. The services rendered by Lafontaine. The lesson to be learned by late events at Newfoundland. 45

September 9, Quebec. Same to the same. Sends duplicates and a survey of Canada; with a list of Canadians supposed to be in the prisons of Great Britain and Ireland, recommending that the prayers of their families for their return be attended to. Canadian passengers by the fleet ordered to report to His Lordship. The case of Mr. Charest. 48

List of prisoners follows. 50

October 6, Montreal. Gage to Egremont. Has received news of the birth of the Prince of Wales. 55

1763.

January 17, Quebec. Murray to the same. Sending addresses on the birth of the Prince of Wales. 56

The addresses follow. From the inhabitants of Quebec (French) (pp. 57, 59). From British merchants and traders (pp. 60, 62).

February 12, Montreal. Gage to Egremont. The preliminary articles of peace received and published. The dejection of the Canadians at the apprehended loss of their paper money; they desire the royal protection for which memorial is enclosed. 64

Petition from the French inhabitants of Montreal, concerning their paper money and their merchandise in France. 67-72

1763.
February 24, Quebec. Murray to Egremont. Had received and published the proclamation for a cessation of arms. Page 75
February 25, Quebec. The same to the same. Information of the situation of the Canadians with respect to their paper money, and proposing a plan for paying it by an issue of new paper on Government security, together with a tax for extinguishing it; proposal to allow the importation of their merchandise lying in France, alleged to be purchased before 1759. His opinion that spirituous liquors and French wines might be allowed in Canada, under proper restrictions and liable to certain duties. 76
March 25, Three Rivers. Burton to the same. Proclamation for a cessation of arms received and published. 91
May 21, Whitehall. Egremont to Murray. The King has graciously received the addresses. His Majesty will do his utmost to obtain effectual execution of the stipulation in the articles of peace, for the payments due to Canadians by the French Crown. With every desire to conciliate the new subjects care must be taken not to encourage the hope that importations from France will be allowed. 87
Letter to Gage, Montreal, of the same date, is in similar terms. 89
May 21, Three Rivers, Burton to Egremont. Treaty of peace received and published. 93
A similar report from Gage, dated 23rd May. 95
May 23, Montreal. Address (in French) from the citizens of Montreal, on the completion of peace and praying for the royal protection. 97
June 10, Quebec. Murray to Egremont. Transmitting an address from the French merchants and inhabitants of the town and Government of Quebec to General Murray, with a mandate from the Vicar-General to the inhabitants of Canada. 99
Address expressing the gratitude, submission and fidelity of the inhabitants, &c. 100
Mandate by the Vicar-General, recommending submission and fidelity to the British Government. 103
June 27, Quebec. Murray to Egremont. That he had referred the affair of Mackenzie and Crockat to a board of merchants and encloses their report. 139
Warrant appointing the Board. 141
Report of a minority. 143
Report of the majority. 145
July 31, Montreal. Gage to Egremont. Has duly issued the proclamation of peace. The satisfaction of the Canadians at the care taken of their interests. Has advised the merchants to sell the goods in France, which were purchased before the Conquest. Refers to barbarities committed by the Indians, but those in this Government well disposed. Had received from M. La Corne, Abbé de l'Etoile, copy of the memorial sent to the King proposing certain regulations for the better government of the Romish Church in Canada, but he was not employed by the Canadians to act on their behalf, and they knew nothing of his designs till he wrote to his relations. 151
July 31, Three Rivers. Burton to the same. The proclamation of peace has been published throughout his government. 154
August 2, Quebec. Murray to the same. The proclamation of peace has been published; transmits an address from the British merchants. 155
August 5, Whitehall. Lords of Trade to the same. Transmitting the representation respecting the lands assigned to the government of Canada. 109
The representation of same date, concerning the lands to be reserved for the Indians; proposing that a commission under the Great Seal be given to the Commander-in-Chief for the government of that country; objections to annexing the Indian lands to any province as that might obstruct the freedom of the Indian trade, and proposing an immediate proclamation concerning them. 110

1763.
August 13, Whitehall. Egremont to Murray. That he has been appointed to the gover ment of Canada, over which he has so long presided with applause; H Majesty has reason to suspect that the French may be disposed to av themselves of the liberty of the Catholic religion granted to the inhal tants, to keep up their connection with France, and to induce them join for the recovery of the country. The priests must, therefore, narrowly watched, and any who meddle in civil matters be remove Whilst there is no thought of restraining the new subjects in the exe cise of their religion according to the rites of the Romish Church, t condition is as far as the laws of Great Britain permit, which can on admit of toleration, the matter being clearly understood in the nego ation for the definitive treaty of peace, the French Ministers proposi to insert the words *comme ci devant*, and did not give up the point un they were plainly told it would be deceiving them to insert these wor He is, however, to avoid everything that can give the least unnecessa alarm or disgust to the new subjects. The greatest care must be us against the priest Le Loutre, should he return to Canada, where he is n to be allowed to remain, and every priest coming to Canada must appe before the Governor for examination and to take the oath of allegian Transmits memorial from the Marchioness de Rigaud Vaudreuil, respe ing lands claimed by her in Upper Canada, to be examined and report on. Acknowledges receipt of addresses which have been laid before t King. Page 1

The patent dated at Versailles, 15th January, 1760, confirming t grant of lands referred to (p. 124) and memorial from the Marquis (127), both enclosed to Murray on the 13th August, 1763.

August 13, Whitehall. Egremont to Murray (separate). He is to be on his guard wi respect to the conduct of Abbé Lacorne, Dean of the Chapter of Queb who, according to papers transmitted, had been trying whilst in Brita to set on foot negotiations to establish rules for exercising the Catho religion in Canada, in which he was supported by the French Ambass dor, who urged that he (Egremont) should confer with Lacorne, request that was constantly refused; he would neither see, nor ent into any discussion with him, stating that the French King had no rig to interfere between His Britannic Majesty and the new subjec Should there be reason to suspect him of interfering in civil or politic matters, he is to be warned in clear terms to confine himself to t duties of his station in the Church. If he confine himself to the duti of his office, he is to be treated with that civility and respect due persons of his order and character. 1

The document enclosed (in French) from the Dean of the Chapter Quebec, containing a proposal that the Chapter be allowed to select bishop and that he be supported by a tax on Roman Catholics or by allowance from the duties collected on imports. 1

Letter transmitting the memorial and asking for a speedy answer. 1

August 28, Montreal. Gage to Egremont. The steps taken to ascertain the amount of pap money in Canada; the account of it is sent by Lieut. Ellis. The sa steps have been taken at Three Rivers and Quebec. The loss of Michil makinak by surprise; the efforts of the friendly Indians. The office soldiers and traders, escorted to Montreal by the Ottawas. The fury the savages had fallen only on the British soldiers and traders. T Canadians and their goods were not injured, so that he suspected coll sion, but cannot discover any formed scheme. The belief of the India that the Spanish and French are coming to retake the country. T little confidence the Canadians have in the stories told by the Frenc Has stopped all trade by the Ottawa and all supplies to the Indians t

1763.

Michillimakinak is regarrisoned. Believes that this will turn the other Indians against those concerned in the late insurrection. Page 208

August 30, Three Rivers. Burton to Egremont. Has had an account taken of the paper money in the Government of Three Rivers, of which he sends statement, and memorial from the holders. 217

Account follows. The certificate signed by Louis Perrault shows the amount to be:—

Ordonnances	1,462,883		
Cartes	71,670	13	6
Certificats	100,936	18	5
Lettres de change	99,880	5	
	1,735,370	16	11

219

The memorial, or petition (in French) by the Inhabitants of Three Rivers respecting their paper money. 221

No date. (August) Montreal. Letter (in French) from the principal inhabitants of Montreal to Egremont, respecting their paper money. 214

September 12, St. James. Lord Halifax to Murray. Transmitting duplicates of Lord Egremont's dispatch of the 13th August last. 150

September 27, Quebec. Murray to Egremont. The distribution of custom houses in America; smuggling can be checked only by the use of ships of war. The necessity for cutters and shallops to cruise in the St. Lawrence to prevent smuggling from Miquelon and St. Pierre, which are full of French goods that can be poured into Canada by shallops, running into shallow bays which cannot be reached by ships or even cutters. Boats drawing little water should be employed, manned from the crews of the King's ships. Power should also be given to examine all the fishing posts, as they will otherwise become magazines of French goods. The want of an Admiralty Court, so that there is no power to condemn vessels seized for smuggling. Details of his attempt to arrest smugglers. 156

September (?), Quebec. Charette (deputed by the French inhabitants of Canada to Halifax (in French), praying for the appointment of a bishop and for the continuance of their seminaries and religious houses. 224

Enclosed. Addresses of the French inhabitants of Quebec. 229

Address of the Chapter of Quebec. 234

Address of the French inhabitants of Montreal. 239

Address of the French inhabitants of Three Rivers. 243

Address of the French inhabitants of Quebec on the appointment of General Murray, which is in accordance with their wishes. 248

October 3, Quebec. Murray to Egremont. Account of the mutiny of the garrison on account of the charge for rations; how the mutiny was quelled. 162

The obnoxious order respecting rations follows. 169

October 23, Quebec. Murray to Halifax. Thanks for his appointment. The fears of the French inhabitants as to the future of their Church have led them to depute M. Charest to represent their case; his good character. Could some means be devised of educating Canadian youth to the priesthood, they might without reluctance part with the hierarchy, and he proposes that after young men were educated at the Seminary they might be sent, at the public expense, to the dominion of some friendly power to be ordained. The Jesuits, who are few in number, could be provided for by a pension; their estates could be put under proper management and their lands leased to English farmers, to introduce a better kind of husbandry. The Seminary of Montreal, which is part of that of Paris, might be compelled to sell all its effects, or to break off with the Seminary in Paris and unite with the Seminary of Quebec. The government of the Church should be in the hands of three vicars-general; one to be appointed superior of the Seminary. Should Le Loutre come within

1763.

reach, he shall be looked after. The hope of procuring a mitre, a
not any extraordinary zeal for religion, was La Corne's motive for comi
to London. As he has been disappointed it is not likely he will retu
to Canada, unless sent by the French court to serve its own priva
purposes. M. Montgolfier is here on the same errand. 2

Enclosed. Extract of a letter, from Murray to Lord Shelburn
pointing out the reasons that render La Corne unfit to be at the head
the clergy in Canada and recommending M. Briand. 2

An extract from another letter to Lord Shelburne, dated 14th Sep
ember, 1763, pointing out the unfitness of M. Montgolfier to be at t
head of the clergy for reasons given. 2

October 23, Quebec. De la Fontaine to the Secretary of State (in French). Complains
the injustice done to him and his family by Murray taking possession
his property at Mingan, and asks for redress. 1

Enclosed. Letter from Panet, notary, respecting the lease of the p
of Mingan. 1

Copies of the titles of the Mingan Islands, 10th March, 1679 (
French) 1

Memorial (in French) to justify the possession by the heirs of Biss
and Joliet of the post of Mingan, on the mainland of the North Sho
of the St. Lawrence. 1

Memorial (in French) respecting the Mingan Islands. 2

October 24, Quebec. Petition (in French) from the Jesuits in Canada, praying to be mai
tained in the enjoyment of their possessions and privileges. 2

November 12, St. James'. Halifax to Murray. Letters to the late Earl of Egremont receive
Cutters and shallops will be employed to prevent smuggling and a cou
constituted to try offenders. The King's approbation of his conduct
quelling the late mutiny of the troops. 1

November 12, St. James'. The same to the Governor of Quebec. It is reported that persons e
ployed by the French Government are purchasing paper money at a lo
price. As this is against the interests of the new subjects, he is to mal
inquiry as to the truth of the report and the extent of the purchase
He (Halifax) and the British Ambassador at Paris are exerting ever
endeavour to obtain an exact performance of the stipulation respecti
the paper money. To report on de Léry's claim for the rent of a hou
in Quebec, belonging to him. 1

November 12, St. James'. The same to Murray. Recommends that Mr. Crockat and his ager
Mr. Harrison, have every assistance to obtain a settlement of his clai
on McKenzie & Oakes. 1

A similar letter of same date to the Lieut.-Governor of Montreal. 1

November 12, St. James'. Halifax to Gage. Desiring to know if he declines the appointme
of Lieut.-Governor of Montreal, so that, if so, another may be appoint
to provide for the administration of its civil government. 1

November 12, St. James'. The same to Burton. Should Gage not accept the Lieut-Governorshi
of Montreal, it is intended to appoint him (Burton). Desires to kno
his wishes. 1

December 9, St. James'. The same to Murray. To ascertain the amount of paper money
Canada so as to enable a demand for it to be made on France. A pr
clamation to be issued, calling for a return in the three Government
A return is also to be made of the paper money sold, the price obtaine
&c. 1

CORRESPONDENCE WITH GENERAL MURRAY—1764–1765.

Q. 2.

1764.

January 5, St. James'. Halifax to the Lords of Trade. Directing them to transmit to Governor Murray M. de la Fontaine's memorials with directions to him to return his answer to every particular complaint and to permit M. de la Fontaine to examine witnesses upon oath before a magistrate in support of his charges. Page 1

January 14, St. James'. The same to Burton. Had received his report and recapitulation of paper money at Three Rivers, but desires him to send an exact account of what is in possession of each individual, so as to have the claim settled by the French Government. 3

January 14, St. James'. The same to Murray. In answer to the complaint of the Count de Guerchy of exorbitant rates being charged to French passengers, he is to take measures to prevent more being charged to them than to other passengers. The complaint of obstructing the Canadians from returning to France has been received with surprise, as there was no indication of it either in public or private letters, and seems to be made as a pretext for sending French ships to Quebec. Desires to know whether many of the French inhabitants wish to leave the Province, so as to ascertain if it be necessary to send ships for their removal. The addresses respecting the mode and degree of tolerating the Roman Catholic religion in Canada, brought by Mr. Charest, are under consideration. 5

February 13, Quebec. Murray to Halifax. Transmits documents relative to the transactions between Crockat and McKenzie & Oakes. They have since come to an arrangement. 14

Enclosed copy of letter to Egremont, 27th June, 1763. 16

Appointment of arbitrators, 1st June, 1763. 18

Reports (2) of arbitrators. 20-21

Further reference, report and order. 25-27-29

February 13, Quebec. Murray to Halifax. Acknowledging receipt of His Majesty's approbation of the conduct of him and his officers during the late mutiny. 12

February 21, Montreal. Burton to the same. Asking leave to resign the Governorship of Three Rivers, to return to Europe. 91

February 14, Quebec. Murray to the same. Gives an account of transactions in Canadian bills; sends an account of paper money in the Quebec district; the lists from Montreal and Three Rivers shall be sent when received. Who are concerned in the traffic of purchasing these bills. Cannot find that the French ministry have any hand in the business. The complaint of M. de Léry about insufficient rent for his house is groundless. 32

Enclosed. Extract (in French) from the Registrar of the Conseil d'Etat respecting paper money. 38

Proclamation by Murray respecting paper money. 43 47

February 16, Quebec. Memorial of merchants of Quebec respecting their settlements for seal and whale fisheries on the coast of Labrador, the River St. John having been made the boundary of the Province on the north shore of the St. Lawrence. 49

February 19, Quebec. Murray to Halifax. Enclosing petition and certificate, that H. Cramahé be appointed agent in London for the Province. 81

Petitition from proprietors and traders, Quebec (in English.) 84

Certificate from French inhabitants that they had chosen Mr. Cramahé as their agent in London. 87

March 5, Quebec. Murray to Halifax. Returns ordered of all paper money in the possession of old and new subjects. The commander in chief has made a requisition for 300 Canadians to serve next campaign. Sends copies

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of all the letters that have passed on the subject. Hopes to prevent his neighbours (the Lieutenant Governors of Three Rivers and Montreal) from making a draught; the men should be raised by volunteering and be dismissed early in the autumn. Page 54

Enclosed. Proclamation (in French) to raise Canadian troops to serve against the Indians. 57

Copy of oath (in French) to be taken by volunteers. 60

Letter on the subject from Gage to Murray dated New York, 12th February, 1764. 61

Answer by Murray to Gage, with reasons why the Canadians should be allowed to volunteer. Quebec, 5th March, 1764. 65

Copy of letter from Burton to Murray on the subject, dated Montreal, 2nd March, 1764. 69

Murray to Burton, Quebec, 6th March, 1764. 72

Haldimand to Murray, Three Rivers, 3rd March, 1764, that he will set about raising the corps wanted. 75

Murray to Haldimand, Quebec, 6th March, 1764, enclosing the proclamation he has issued; he wishes that all should be raised according to the terms therein mentioned. 76

March 9, Quebec. Murray to Halifax. The advantage of peace with the Indians; the Canadians settled on the reserve lands should be provided with lands in room of those they must leave. They should be settled in the Province and assisted with money and materials towards building their houses and stocking their lands. The good effect this would have on the Canadians already settled in the Province of Quebec. 78

April 14, Quebec. The same to the same. Believes that Count de Guerchy's complaint of over charge for passages by ships for Europe is unfounded. Several French and Canadians left last summer, but he heard no complaint of any over charge. Very few will be leaving this year. The suspicion of the designs of the French to send ships appears to be just. The charge about the size of vessels in the trade is not correct, and there were more shipwrecks in the French time than have been since. He has not only not obstructed emigration but has given every facility to those who wish to go. 129-131

April 18, Three Rivers. Haldimand to the same. That he has raised the 60 men required as the quota from his Government for the Canadian corps. The difficulty met with in regard to volunteering, as the Canadians, accustomed to be ordered out, feared that by volunteering and accepting the bounty, they would be enlisted for life. They were at last convinced, and all the men raised have volunteered. The registry of the paper money is in progress. Little of it has been sent direct to France; any so disposed of was sent chiefly through Quebec. Shall get a list of all persons desirous of returning to France, but he does not believe it will exceed 20, perhaps not 10. Is pleased that he can communicate direct with His Lordship all matters relating to his Government. 97

Enclosed. Letter from Gage to Haldimand, dated New York, 12th February, 1764, relative to raising a corps of Canadians. 101.

April 24, Quebec. Murray to the Lords of Trade. Transmitting his answer to De La Fontaine's accusations, and defending his course since he has been in command of Quebec. 107

The answer (enclosed) gives the charge under four heads, to which the answers are attached: 1. That I hindered the heirs of Bissot and Jolliet to repair and settle the post of Mingan in 1761. 2. That contrary to their inclination I made Mr. La Fontaine and Mr. Tachet give a lease of the post of Mingan to Mr. Isbister. 3. That I stripped him of his property and gave it to other people. 4. That when he set forth his claims to the posts of Mingan and Mekatinat, I gave

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him gross personal abuse and pushed my resentment so far, as to distress his family by taking away the Royal Pension from two of his daughters. The answers are in minute detail. Page 111

April 24, Quebec. Murray to Halifax. Sending copy of his answer to the Lords of Trade to M. de la Fontaine's complaint. A month additional has been given to the people to register their paper money. The Canadian corps left Montreal for Oswego on the 6th inst. The men were raised and equipped in fourteen days, The number of people intending to leave for France this summer will be very small. 104

May 3, Montreal. Burton to the same. That the returns of paper money in Three Rivers, sent in August 1763, were prepared by the inhabitants themselves. Sends the recapitulation of the paper money taken in July, 1763, which he trusts may be satisfactory. 126

Recapitulation follows. 128

May 12, St. James'. Halifax to Murray. That the Marquis de Vaudreuil is to be allowed a further term of one year (after the expiry of the eighteen months) to dispose of his property in Canada. 8

By letter of same date other French subjects who have been unavoidably absent from France are to be allowed the same extension of time. They are Bois Hebert, Chabert-Joncaire, St. Ours, Cadet, Godefroi de Normanville, Monmidi, Dufy des Aulniers and Charest. 10

May 21, St. James'. Halifax to the Lords of Trade, referring Murray's letter relative to the Canadians settled in the lands reserved for the Indians, proposing to provide for them in the Province of Quebec, in case they are removed. 89

June 9, St. James'. The same to Murray. That His Majesty has extended the time during which properties could be sold in Canada by those desirous of leaving it, for an additional year in favour of Sieurs Rocheblave and Perreau, for reasons stated. 94

June 20, Three Rivers. Haldimand to Halifax. Has sent the account of paper money in his government, but some is not yet registered. The amount of that is inconsiderable. The Canadians are so used to be deceived, that His Majesty's protection will produce the greater sense of gratitude. There are only five emigrants in this government for whom passages are required, namely, two women, two children with one servant. The losses caused by the war begin to be repaired, and the culture of land goes on with more assiduity than ever before. The advantage of having settlers who have made agriculture their study. 135

Account of paper money in Three Rivers. 138

July 14, St. James'. Halifax to Murray. That Burton has been allowed to resign the office of Lieutenant Governor of Three Rivers; that office is not to be continued either there or in Montreal. When Burton leaves Montreal, the command of the garrison is to devolve on the next in rank there. 132

July 14, St. James'. The same to Burton. His resignation of the Lieutenant Governorship is accepted and he is allowed to return to England. 134

August 10, Quebec. Murray to Halifax. Sending memorials from Mr. Thomas Marie Cugnet, agent for the French India Company, and giving it as his opinion that the company has no just claim to receive what is demanded. 150

Accompanying documents. 152-153-156-163

August 20, Quebec. Murray to Halifax. Neither the grant to Vaudreuil, nor that to Hocquart, was registered, as required by the French law. The statement of paper money formerly sent was only to give an idea of the amount owing by the French King; the particulars are now transmitted. The registers and bordereaux will be delivered by Grandidier. The difficulties in the way of getting correct returns. 166

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General recapitulation of the paper money in the Province of Quebec. Page 168

August 21, Quebec. Murray to Halifax. Shall observe the orders to grant an extension of time for disposing of their effects to the Marquis de Vaudreuil and the others mentioned; not more than 270 souls, men, women and children will emigrate in consequence of the treaty of peace; they are chiefly officers and their families, and there are ships for six times the number. 170-423

August 22, Quebec. The same to the same. Transmitting memorial of John Malcolm, master of the "Friends," of ill-usage he and his crew met with from the French at Turk's Island (one of the Bahamas), and at Cape François, where he was plundered. 172

Memorial, depositions and other documents relating to the complaint. 173 to 200.

October 10, Montreal. Burton to Halifax. Thanks for his resignation being accepted. The appointment he has received as Brigadier-General has decided him to remain in North America as long as he is employed, though the state of his private affairs requires his presence in England. 204.

October 13, Quebec. Return of legal instruments to be made use of in the Province of Quebec, signed by Wm. Gregory, Chief Justice, and George Suckling, Attorney General. 227.

October 15, Quebec. Murray to Halifax. That since he received his commission as Civil Governor, the Lieutenant Governors of Montreal and Three Rivers refuse to acknowledge him as in command of the troops in their districts; the inconveniences thence arising; has corresponded with the commander-in-chief (Gage); sends copies, as it appears that Gage means to divest him of all military command. The Province cannot be governed without a military force; exclusive of the military there are not above 100 Protestants, and from these the magistracy must be composed. What can such a magistracy do, unless the supreme magistrate has the disposal of the military force? The Canadians are to a man soldiers and naturally conceive that he who commands the troops should govern. States the extent to which he wishes to have the command, and that he has no desire to interfere with the economy of the troops left to the senior officers. 206.

Correspondence with Gage enclosed, and copy of Murray's commission as Governor of Quebec. 211 to 223.

October 27, St. James'. Halifax to Murray. The claims of Joncaire Chabert for lands at Niagara obtained by Indian grants are inadmissible. His conduct on arrival is to be watched, and he is to be hindered from going among the Indians, with whom his influence is hurtful. 139.

The petition (in French) of Joncaire Chabert, referred to, a copy being sent to Gage and Murray. 142.

A petition to Lord Halifax praying that he lay the preceding petition before the King. 149.

October 28, Quebec. Murray to Halifax. Has not discovered smuggling of French goods this summer; the vigilance of the ships of war has probably compelled the smugglers from St. Pierre and Miquelon to land their goods on the lower parts of the river, to be brought up by sleighs in winter. The passengers by a ship from London that called at St. Pierre for water report every house there full of merchandise. The French fishing has been unsuccessful, but they have bought from the New Englanders, paying in French goods, which no doubt will be run somewhere on the continent. 224.

October 29, Quebec. The same to the Lords of Trade. The enclosures will show the necessity of sending Cramahé to London to give information, on matters for which an immediate remedy seems necessary. Very little will satisfy

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the new subjects, but nothing will satisfy the licentious fanatics, but the expulsion of the Canadians, who are the bravest race on the globe, and if indulged with a few privileges will become the most faithful men in this American Empire. Flatters himself a remedy will be found and that the establishment of Courts of Justice will be approved of; unless Canadians are admitted to juries and have Judges and lawyers, who understand their language, His Majesty will lose the greater part of this valuable people. A Lieutenant Governor necessary at Montreal for reasons given; William and Alexander McKenzie and William Grant are soliciting their friends in London to get them appointed to the council. The first is a notorious smuggler and turbulent man, the second a weak man of little character, the third a conceited boy. Page 233

Besides the letter to the Lords of Trade there were also enclosed: Charge to the Grand Jury at the Quarter Sessions held at Quebec, 16th October, 1764. 238

Presentment by the Grand Jury of Quebec at the same session. 242

The chairman (Mr. Girdley) in his answer to the presentment, says the justices think it their duty to reject many of the articles as highly improper, assuming and of the most pernicious tendency, and to manifest to the public their disapprobation of the spirit and manner in which the whole seems to be conceived. All those articles that can properly be called "presentments," are already the subject of ordinances and are soon to be published. 251

The disavowal and remarks of the Canadian jurors (26th October) on the presentment of the Grand Jury. 263

Complaint by Canadians of the presentment. 273

Ordinance for regulating, &c., courts of judicature. 281

Ordinance for regulating the currency (4th September, 1764). 293

Ordinance 3rd October, of what shall be deemed a publication of the ordinances. 298

List of the names of the Council and Justices of the Peace for the districts of Quebec and Montreal. 300

The same in French. 302

Ordinance for the assize of Bread (in French, 321). 310

Ordinance for ratifying decrees of the Courts of Justice (in French, 326). 316

List of Protestant house keepers in Quebec (26th October, 1764). The list has the following certificate: "I do certify that every Protestant house keeper in the district of Quebec is included in this list, and that to the best of my knowledge, there are not ten Protestant free holders in the Province, consequently not ten Protestants qualified by the laws of England to be jurors. Ja. MURRAY. 332

List of Protestant house keepers in Montreal. 335

October 29, Quebec. Murray to Halifax (private). Had received a severe check from the Lords of Trade for not communicating what he had written to His Lordship, relative to the Canadians settled at Detroit. Sends copy of his letter of this date to their Lordships, which should be laid before His Majesty. Introduces and highly recommends Cramahé. Sends the model of a first-rate French ship of war, made by a Recollet. 230

October 30 Quebec. Same to the same. The enclosures will show how impossible it will be for him to execute His Majesty's commands unless orders are sent to Gage and Burton not to interfere in the civil Government; their jealousy and pique at his appointment. The confusion in Montreal, where the civil and military are inveterate enemies. The relaxation of discipline to secure popularity with the troops. It will be better for Burton and every one else were he (Burton) removed. 337

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Enclosed. Murray to Burton (20th August, 1764) entreating him not to allow traders to go up to the lands reserved for the Indians. Page 339

Copy of a pass by Burton (12th October, 1764) to a trader for the reserved Indian lands. 341

November 17, Quebec. Murray to Halifax. Transmitting address from the Canadian subjects, repecting paper money. The Collector of Customs has seized two ships for illicit trade, which have been condemned by the Vice-Admiralty Court. (For date see p. 428). 348

Enclosed. Letter from Vaudreuil (in French) to the captains of the parishes, respecting the suspension of payment of paper money, and when payment would be made. 350

Address of the Canadians to the King, expressing their anxiety on account of the French King's arrêt on the 29th June, 1764, excluding from payment the paper money remaining in Canada. Implore protection and state their case. 352

December 8, St. James'. Halifax to Murray. The registers and bordereaux of the paper money received. These show a much larger amount than the statement previously sent, and as the claim was made on that and registered in France, it may be difficult to get the additional amount admitted, but the Ambassador shall be instructed to do his utmost to effect that. The documents relating to the claim of the master of the "Friends" has been sent to the Governor of Jamaica, who is to settle the accounts with the French Governor of St. Domingo. 201

1765. January 12, St. James'. The same to the same. That no change is to be made in the plan for the command of the troops in North America, but Burton has been instructed not to interfere in civil affairs. 342

January 12, St. James'. The same to Burton. His powers being entirely military, he is not to interfere in the civil affairs of the Province. 344

March 2, Quebec. Murray to Halifax. Chabert shall be carefully looked after when he reaches the Province. He had great influence with the Indians when supported by the French Government. Sends copy of letter to the Lords of Trade. Nothing new about contraband trade; the schooners will be ready to sail when the river is clear, and he flatters himself will frustrate the views of the smugglers. 396

March 3, Quebec. The same to the same, recommending the nuns of the General Hospital to His Majesty's protection. 367

Enclosed. Petition (in French) from the nuns, praying that their claims on the French Government may be presented for settlement. 368

Statement of sums which they have been obliged to pay for provisions, &c., for the French troops (officers, soldiers and sailors taken into the Hospital), for which they were responsible, although they were obtained for the service of the King of France. 370

Memorinl (in French) from the nuns, stating their claims upon the Court of France and their distressed situation. 372

March 3, Quebec. Murray to the Lords of Trade. The few British traders, out of humour, because he would not make them magistrates, nor allow them to oppress the new subjects, continue to display all the malice the most bitter rancour can dictate. As their private motives are known, their impertinence is received here with indifference. The difficulty of establishing English laws for reasons stated. The contempt of the military for the traders, and the mean character of the latter. The chief Judge and Attorney-General are both ignorant of the language of the natives, are needy and though good lawyers and men of integrity, are ignorant of the world. Burton's dissatisfaction at being left to command a few troops, where he had long governed without control, and the military do not relish the new courts, as the magistrates are composed of the merchants they despise. Details of the disputes in Montreal. The

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quarrel arising out of billeting; arrest by the magistrates of Capt. Fraser, outrage on Walker and the proceedings to ascertain the offenders. The threatened mutiny in the 28th Regiment; and the steps taken to avert it. Immediately after he (Murray) had left Montreal, the heart-burning between the soldiers and merchants broke out, and a body of the 28th attacked the gaol and released their comrades. Skene with the picket pursued the mutineers and brought back the prisoners, who were, however, again taken out that night; these were found at Chambly and put in charge of the commanding officer, who delivered them at Quebec. Had tried but ineffectualty to have the ringleaders discovered and tried by a court martial; the civil magistrates have taken up the case. Cannot, for want of assistants, send copies of the French King's grants. The improper appointments made to important offices in the Province. Is anxious to know the decisions on the complaints of Lafontaine respecting the rum duties, and how government is to be carried on without a shilling. Is not anxious about his own salary, but the indigence of the judge and other officers is alarming and hurtful to the public. Page 377

March 9, St. James'. Halifax to Murray. The British Ambassador at Paris reports that a ship of 22 guns was built for the French service at Montreal, since the peace; that she was named the Marquis de Lévi by the Governor, and brought 120 passengers to Rochelle. Desires to have a report on the subject. 346

March 23, St. James'. The same to the same. The 52nd Regiment to relieve the 44th, which is to return to Ireland. Undated letters with address, &c., respecting paper money received. 357

April 28, Montreal. Burton to Halifax. That he is gratified to learn that he is to confine himself to his military duties, and not to interfere with the civil government; shall strictly comply with orders to that effect. 422

May 1, Quebec. Mémoire (in French) by the principal of the new subjects of the Province of Quebec concerning the present state and abilities of that Province. The statement occupies 28 pages; summarised, it states the amount of the imports and exports from 1749 to 1755. The exports in these years did not pay above one-third of the imports and the overplus was furnished by the pay of the troops. (For annual imports and exports, totals, see page 437). Since the peace, the imports are not less than 4 millions of livres, the exports only 1,500,000 and the pay of the troops there not above 700,000 livres, so that allowing 200,000 for their internal circulation there is an annual debt upon the inhabitants of 2,000,000 livres, for commodities imported, which must ruin the colony unless prevented by assistance from Great Britain. Two methods are proposed: To station a sufficient number of troops there, or to build frigates and other vessels at the annual expense of 3,000,000 livres, to be issued in bills or paper money, on the credit of the Government, payable in London. 434

June 10, St. James'. Halifax to the Lords of Trade. Transmitting two petitions, one from merchants of Quebec complaining of grievances; the other in support of it, from merchants in London, for examination and report. 359

Enclosrd. Petition from the British merchants and traders of Quebec, complaining of Murray and praying for his recall. 361

Petition from the merchants of London. 398

June 24, Quebec. Murray to Halifax. Will comply with the Treasury minute, but is at a loss to know how the Government is to be carried on without money. Has sent an account of the quarrels between the troops and inhabitants of Montreal; suggests a change in all the regiments, and barracks to be built for the troops. Will carry out orders about the 44th and 52nd Regiments. The difficulties. Explanations respecting the ship called "Marquis de Levy," regarding which he had written to His Lordship at the time (see p. 129) the vessel is now engaged in the French Guinea

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trade. Chabert had arrived and wished to go to Niagara but was convinced of the impropriety of such a journey. Arrival of Mr. Stuart, Surveyor-General of Customs. Page 424

October 24, St. James'. H. S. Conway to Murray. In consequence of representations of the disorders that exist in the Province, he is to prepare to return to give an account of the state of the Province and causes of disorders, &c., but not to leave till further orders and till a proper person be fixed on to take his place during his absence. His Majesty's displeasure at the presentment of the grand jury. 464

November 9, St. James'. The same to the same. Directing him in case Serjeant Mee and John Clerk should be tried and condemned for shooting a deserter, who had made his escape, if the case be as favourable as represented to grant His majesty's free pardon; if otherwise to respite them till His Majesty's pleasure be known. 467

December 5, St. James'. The same to the same. In conformity to Order in Council, he is to exert himself strenuously to discover the assailants of Thomas Walker, Montreal. 471

Order in Council, dated 22nd November, enclosed. 472

No date. Memorial of the Court of France to justify the reduction of the Canadian paper money, with answer on the part of the Court of Great Britain (both in French). The reasons given to justify the reduction are: 1. The discredit into which the paper had fallen. 2. The high price of necessaries in 1759. 3. The letters of exchange given before 1759 were paid in part. 4. The ordinnances and billets are only such as were issued after the last delivery of letters of exchange. 5. The retailers and merchants purchased these ordinances at 80 or 90 per cent. discount. The answers: 1. The Court of France being the author and cause of the discredit have no title to be benefited by it. 2. In 1759, the prices for the King were fixed by the Intendant at a lower rate than necessaries were sold in the Colony. 3. No reasons are given why the letters anterior to 1759 are not entitled to complete payment. 4. Ordinances and billets of an old date were the circulating currency of the country. 5. The Court of France is responsible for the full value, whatever they may have been purchased for. 402

Correspondence with the English Ministry. 1766.

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June 24, Quebec. Murray to the Lords of Trade (extract). Reports the insolent behaviour of Walker and his general conduct as sufficient reasons for the Council dismissing him from the magistracy. Page 29

1766. February 3, Quebec. The same to the same. Enclosing letter from Captain Carden, that when everything had been ready to receive the troops the barracks were burned and all the stores. Is sorry he has to trouble their Lordships with so many enclosures, but it is the only way to convey the intelligence. Walker has made the people believe that it is through his influence he (Murray) has been recalled. Walker is taking uncommon liberties with Lord Dartmouth's name. It is ridiculous to men of sense, but does what may be irreparable mischief in a colony constituted as this is. Walker alleges he is protected by the King's servants in spurning every ordinance of the civil government of the Province. The necessity of providing for the accommodation of the troops, &c. 122

Carden's letter, 2nd January, concerning the fire, which apparently was of an incendiary origin. What arrangements can be made for housing the troops. 125

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Murray to Carden, 12th January. That he has written to Rouville to assemble the inhabitants to try if they will aid in accommodating the troops, &c. Page 127

Murray to Rouville, referred to above, of same date (in French). 129

Murray to Mgr. Montgolfier, on the same subject, same date (in French). 131

To the Justices, same date. 132

Rouville to Murray (in French), 22nd January. Account of the disorderly proceedings at the meeting called to consider the question of accommodating the troops. 133

Carden to Murray, 23rd January. With an account of the meeting; those present refused to give any opinion on what was proposed. Has been round the inhabitants and succeeded in getting them to keep the men till the first of May. A violent shock of earthquake this morning. 138

There is further correspondence on the same subject from the 30th January to the 2nd February (140 to 159), followed by the resolutions of the Council on the subject of billetting troops, passed in September, 1765, in terms of the Act of Parliament, with instructions to provide for the soldiers by hiring houses and appointing Captain Carden to carry out these instructions (160 to 170).

Enclosed in letter from the Lords of Trade of 16th May, 1766. 140 to 170.

February 5, St. James'. Official to Chief Justice Gregory. That in consequence of his conduct, His Majesty has no more occasion for his services as Chief Justice of Quebec, and that Mr. Hey is appointed to succeed him. 1

February 14, Quebec. Murray to Conway. That His Majesty's subjects in this Province have not followed the example of the neighbouring Colonies, but have cheerfully submitted to the authority of the British legislature. Has published the greater part of the circular, which will show that by submissive remonstrances, grievances are not only redressed but favours obtained. Is pleased to be ordered to England to give an account of his government. He believes the disorders will be cured by the salutary letter disapproving of the Grand Jury's proceedings, and the resolution to remove all grievances that may be justly complained of. Mee and Clarke were tried for the murder of the deserter and both acquitted. Has applied for leave to Col. Irving of the 15th, and Capt. Skene of the 28th, to come with him to clear up some points, of which he is to give an account. 26

February 17, St. James'. Official to the Governor at Quebec. That Hey is appointed Chief Justice in room of Gregory, and is to be invested with the office. 2

February 17, Quebec. Murray to Conway. Transmitting the papers respecting the case of John Barry, a private soldier, convicted for the murder of a female child. It appearing to him that Barry had no intention to kill the child, has granted a reprieve and recommends him to mercy. 30

Enclosed. Report of the conviction. 31

Petition of Barry stating the circumstances. 32

Petition referred to the Chief Justice. 34

Summary of the evidence. 35

Note by the Chief Justice on the case. 40

March 6, St. James'. Official to George Suckling. That there being no further occasion for his services as Attorney-General, Mr. Maseres is appointed to succeed him. 3

March 18, St. James'. Conway to Governor of Quebec. That Francis Maseres is appointed Attorney General in place of George Suckling. 4

March 27, St. James'. The same to Murray and to the Lieut. Governor of Montreal. Directing that Mr. Walker, of Montreal, be immediately restored and put into the Commission of the Peace, that he be protected by the

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Government and supported in the unmolested pursuit of trade, an observing with extreme concern that the conduct of some gentl men of the army has given suspicion of their being concerned i the attempt on Mr. Walker. Page

March 27, St. James'. Conway to the Governors of Michilimakinak and Detroit, directin that within their districts Mr. Walker may have every countenance an protection in the pursuit of his trade; complaints have been insinuate of unfair advantages taken by the commandants at the posts in th Indian country; such practices are both unjust in themselves and u suitable to His Majesty's intentions.

March 31, St. James'. The same to Murray. Sends copy of convention respecting th paper money of Canada. It is only intended for the benefit of th real subjects of the Crown of Great Britain, and care must be exe cised that no advantage is taken by French subjects of the conve tion, by underhand dealings and importing the paper money t defraud the French Government. 1

March 31, Quebec. Murray to Conway. That the orders relative to the assailan of Walker shall be strenuously put in execution, but nothing ha hitherto been wanting to discover and bring them to punishmen If Coleman and McLaughlan could be laid hold of, they migh turn King's evidence. The 28th under orders to leave. The impo sibility of doing more for discovery. The slight punishment t Hamilton, who was convicted, cannot be justified. 4

Enclosed: Deposition of Thomas Parry, soldier in the 28th, take before the Governor and Committee of Council, on the 30th Novembe 1765, and continued on the 4th and 6th December. 4

April 1, St. James'. Conway to Murray. That he is to return to England to give an a count of his government, making over the charge, in the manne prescribed by his instructions, to the person who shall succeed him. 1

April 18, Montreal. Address (in French) by the chiefs and warriors of Sault St. Lou and Lake of Two Mountains to Burton on his leaving Montreal. 1

April 24, Quebec. Memorial by the Seigniors of Quebec to the King. Expressing thei sense of the high qualities of Murray and praying that he be restore to the government of Quebec. The address defends him against th attacks made on his conduct and character. 1

May 16, Whitehall. Lords of Trade report on the state of the Province. The circum stances of most importance are: 1. The unsettled state of ecclesiastic affairs and the complaints and representations of His Majesty's ne subjects on that head. 2. The defective and partial establishment judicature in respect to the courts of justice and their rules and forms proceeding. 3. The want of such a complete constitution of civil gover ment as may be competent to the forming those regulations essential the peace, happiness and welfare of the people, and the support of ever necessary establishment. On these and other points they have alread reported and now transmit letters, &c., from Murray with remarks; the matters being chiefly in the military line are more suited for the co sideration of other departments. 5

Enclosed. Letter from Murray to the Lords of Trade, dated Quebe 23rd October, 1765, respecting the issue of impress warrants. 5

Burton to Murray, Montreal, 20th February, 1765. For impress wa rants for carriages for the King's service. 5

Opinion of Attorney-General Suckling, dated 25th February, 176 that although there is no positive law on the subject, he can see n impropriety in issuing impress warrants for sleighs, horses, &c., for th King's service, under certain restrictions, and that the people s employed should be paid for their services. 5

1766.

Warrant by Murray to the Justices to issue impress warrants for the transport of provisions to Lachine and the Upper Posts, the people thus employed to be paid at the current price of the country, the rate to be advertised. Page 61

Letter from Lieut. Colonel Christie, D. Q. M. G., to Burton, 9th March, complaining that Murray had withdrawn the impress warrants and had only issued a new warrant when the roads had broken up. The consequent delays, &c. 64

Burton to Murray, 31st March, 1765. Sending copy of Christie's letter. 69

Murray to Gage, 1st July, 1765. In answer to complaints, says he cannot in time of peace give general press warrants; besides, Christie has made an improper use of such powers, and as he is carrying on extensive works on his own account, prudence prevents him granting general warrants and decency should hinder Christie from askingthem. 70

Burton to Murray 29th September, 1765, complaining of the delay in forwarding provisions for want of bateau men. 72

John Fraser to Murray, 5th October, 1765. Reporting in detail Christie's transactions respecting the transport of provisions, &c. 74

Legal opinion of Attorney General Suckling, 5th October, 1765, on the acts of Christie, D. Q. M. G., respecting the press warrants for transport, stating the facts and law, and concluding that the conduct of the D. Q. M. G., had in view only the gratification of private resentment. 81

Injunction of Murray, 5th October, 1765, to the bailiffs of Montreal, and parishes, to provide men for transport. 87

Notice to Gray, Provost Marshal, respecting men for transport of provisions to the upper posts (7th October). 89

Murray to the Justices of Montreal, with copy of letter to Burton, and opinion of the Attorney General respecting men for transport. Carden, who carries this letter, will take charge of the quartering of troops. 90

Murray to Burton, 9th October, 1765. Discussing in detail the question of pressing men for transport. 92

Christie to E. W. Gray, 12th October, 1765, with a demand that men for transport are to be handed over; it is not sufficient to have a certificate that they are warned or have moved from home. 98

List of men that have gone in the four boats for Fort William Augustus. 100

Pierre La Goterie to Christie, dated 13th October, 1765. Has sent list of men in four boats. The abuse he has received from two men from Long Point; but for these two men the boats would have sailed before this. 102

Burton to Murray, 13th October, 1765. Sends complaint by the D.Q.M.G. (Christie), of delay in transport for want of boatmen. 104

Christie's complaint of same date. 105

Reports by LaGoterie and Christie, respecting the sending off of the boats from Lachine, both dated 13th October. 110–111

Burton to Murray, 14th October, 1765. Reporting the loss of sloop with provisions to Niagara or to Detroit, which will necessitate the employment of 100 additional bateaux. 112

Murray to Attorney General Suckling. For his opinion as to the legality of pressing men, carriages, &c., for His Majesty's service. 114

Suckling to Murray, 16th October. His surprise that those in charge should not have sent off provisions to the upper posts in proper season, which would have saved loss and extraordinary expenses, and avoided harassing His Majesty's new subjects. The impressment is illegal and could only be justified by the plea of necessity; whatever is now done should be done by civil officers. 115

1766.

Murray to Burton, 17th October, 1765. Sends press warrant t Captain Fraser, magistrate. The loss of the vessel is unfortunate; h hopes that care will be taken not to let the subsistence of the troop depend on a single vessel, and that the Commander-in-Chief will procur an Act to make pressing legal in time of profound peace. Why canno the soldiers assist in the transport of the King's stores? But fo Christie, the authority formerly given to Fraser would have been undis puted. Christie ought to be checked in his remarks on civil govern ment; their mischievous effects, &c. Page 11

Press warrant to Fraser. 12

June 24, Whitehall. Board of Trade to Privy Council, with draught of particular instruc tions to the Governor of Quebec, for establishing Courts of Judica ture. 17

June 30 to July 5, Quebec. Minutes of Council. Besides routine business, consideration o ordinances, &c., the following may be noted: Thomas Mills was admitte as a councillor; a gift of chapel plate and furniture was made b Murray to the Episcopal Church of the parish of Quebec; Georg Allsopp's demand to be received as clerk of the Council was refused Mills admitted to the office of Receiver General. 20

July 7, Quebec. P. Æmilius Irving to the Lords of Trade. Murray sailed on th 28th June. Has issued a proclamation that the command devolves o him (Irving) and continuing the officers in their employments. (Pro clamation at p. 179). Murray did not receive the instructions relativ to juries and currency till the day he was leaving. Ordinances on thes subjects enclosed. The arrival of M. Briant and the regulation of th juries will have a good effect on the new subjects. The Council wil assist the Receiver General towards establishing the revenue accordin to the instructions he has received. 17

July 7, Quebec. The same to the same. Remarks on the ordinance respecting th currency. The Louis d'or and French Crown have been overrated so a to keep these coins in the Province. The advantage of sending smal change. With regard to levying the duties collected during the Frenc Government as the Receiver General is not under the control of th Council, the proclamation is to collect all these duties, but he and th Council regard the exaction of three per cent. on dry goods imported o exported as a hardship. The Receiver General, however, says that h has verbal instructions not to enforce this duty, which renders the tas of the Council more easy. 17

Ordinance amending the Act of Judicature of 1764. 18

Ordinance to adjourn the meeting of the Court of Common Pleas Montreal, to the 11th of September. 18

Proclamation for the collection of duties the same as were levied b the French King. 18

Ordinance for retailing rum, etc. 19

Ordinance for regulating the currency. 20

July 21, Quebec. Irving to the Lords of Trade. The difficulty of collecting the duties o spirits, &c., as formerly levied during the French Government. Suggest that the Collector of Customs be ordered to pay to the Receiver General th duties collected. Vessels gone off without a pass; order given not t clear them. The detriment the levying of duties would be to th Colony. 21

July 22, Quebec. John Collins, Deputy Surveyor General, to the same. That he ha forwarded the plans of the surveys, of which duplicates were sent t Holland, Surveyor General, and now transmits his account for settle ment. 22

July 22, Quebec. The same to the same. Has transmitted to Murray a memorial pointing out either errors or frauds committed by private surveyors i

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regard to seigniorial lands; he would, however, make no change. Had been appointed Deputy Surveyor-General and Deputy-Surveyor of roads, in both of which offices he had faithfully discharged the duties; but Murray has appointed two persons at double the sum he got, and who are unskilled in the duties. Has also had a dispute with Murray about portions of the King's domain, he wished to give to private persons, to which he (Collins) objected in his report, for which he was ill-treated by Murray; encloses copy of the report, the warrant of survey and the petition of British merchants against giving the King's wharf to private persons. Requests orders as to surveying the King's domain, which shall be complied with. Page 226

Memorial and commissions attached. 230–234–236

Order to survey a piece of ground at Quebec for Joseph Marteilhe. 238

The report of survey of the King's wharf with plan. 241

Remonstrance of the merchants. 244

July 24, Quebec. Irving to the Lords of Trade. With list of merchants who have refused to pay the duties on liquors imported into the province. 221

August 7, Quebec. The same to the same. Pointing out the confusion likely to arise in the public service from the course followed by the Receiver-General, who does not consider himself bound to lay his accounts before the Council, or to require a warrant for the expenditure of public money. 247

August 19, Quebec. Report by the Attorney-General of the persons who refuse to pay duties on wine, &c., imported. 254

August 20, Quebec. Irving to the Lords of Trade. The good effects on the Courts of Justice of the additional instructions; the assuring to Canadians the privilege of being jurors and of having lawyers who can speak their own language, has quieted their minds. The improvements still needed. The inferior courts have been of great service. The difficulty in cases of appeal from judgments being reversed on technical grounds. Suggests increasing the power of the bailiffs in distant parts of the province, there being no Protestants there fit to be made justices. Asks for more certain orders to adhere to the *Coutume de Paris* in the inferior courts, as it would make the administration easier to the people, but the Government does not intend to give the judges the same arbitrary power as the French judges had, &c. 249

August 20, Quebec. The same to Conway. A letter respecting the courts, similar in terms to those in letter to the Lords of Trade of the same date. 257

October 18, Quebec. Carleton to the Lords of Trade. Remarks on the plan of Lake Champlain; it is for their Lordships to determine whether the line of 45° should be left as the boundary or if some natural boundary, as a creek or river, should serve for the frontier. (The plan does not accompany the letter.) By the observations the Missisquoi Indians are to the south of the line. They petitioned that no traders should come among them, as they were near enough to Montreal to supply their wants there, but should they be fixed in the Province of New York, they must go to Albany, to obtain redress of any grievance, that being the nearest court of justice. Complaints made by English and Canadians that contrary to the treaties confirming Canadian grants, their lands had been given to others by the Government of New York. Complaint by Irving that Mills, Receiver-General, had published an order prohibiting all but Dunn & Co. from trading to the King's posts, and Howard and others complain not only of this, but also that Colonel Irving and Council had ordered the sheds of the traders to be pulled down and destroyed; that the order was directed to Stuart, Dunn's agent, who was accompanied by a military force. Their goods and servants must perish if not allowed to build shelter. Believes Mills had acted from misapprehension of his instructions. The soldiers withdrawn; the trade ordered to be as

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declared by the advertisement of March, 1765, and a Committee of Council appointed to examine the question. Remarks on the Council and the circumstances which led to the remonstrance (p. 264) of members of Council. Page 393

October 25, Quebec. Carleton to Shelburne. Has received Order of Council of the 8th of August, which shall be obeyed. The three addresses presented on his arrival, proceeded partly from animosities that exist. Some raised a stir against the addresses, on the ground of the Stamp Act. How the addresses were got up; many were the bloody noses. The quarrels and confusion respecting the Indian trade, by conflicting claims, and prosecutions threatened against merchants engaged in it in violation of the monopoly alleged to be given to Dunn & Co., and destruction of the trader's houses at the Saguenay. Sends correspondence on the subject of his consulting a few members of Council, and the remonstrance of the others. The leader of the Opposition is Mabane, who was a surgeon's mate in the army. Cuthbert, who was placed in the Council by Murray is determined to show he has friends. Walter Murray was a strolling player. Mounier, an honest trader, who will sign anything his friends ask him to sign. In general, the people here rather require instruction than reproof and will soon quiet down. 259

Enclosed. Remonstrance of members of the Council (13th October 1766) against calling together only a part of the Council. 264

Answer by Carleton, that, where the consent of Council is not required he will call such members as are best qualified to give information, and also such persons, though not of the Council, as he shall find to be men of good sense, truth, candour and impartial justice, who prefer their duty to the King and the tranquillity of his subjects to unjustifiable attachments, party zeal and selfish mercenary views and shall direct as to him seems best for His Majesty's service and the good of the Province. The rules of precedence among the Councillors. 267

Minutes of Council on the Indian trade or King's posts, 11th October 1766. 270

The same, 14th October. 282

Petition of Joseph Howard (presented to Council) on the same, 11th October. 285

Report by F. J. Cugnet on the posts of the domain during the French Government. 290

Proclamation by Murray, 31st January, 1766, declaring the Indian trade free. 295

Petition by Thomas Dunn and John Gray, 9th March, 1765, setting forth their rights to the Indian trade at the King's posts and praying for their enforcement. 299

Copy of an Indian licence granted by Irving. 303

Mills to Irving, 31st July, 1766, that Dunn and Gray report that their rights on the King's posts are invaded. Asks that intimation be given to traders that these posts are not open. 305

Gray and Dunn to Mills, 4th July, 1766, on the subject of the posts. 307

Opinion by Suckling, Attorney-General, 1st August, 1766, how buildings erected by traders on the King's domain in the Indian country may be removed. 310

Affidavit by Peter Stuart, 8th August, 1766, that traders had arrived with goods and erected buildings for trade at the King's posts leased by Dunn and Gray. 313

Peter Stuart to James Potts, 18th August, 1766, asking for military assistance to remove traders' buildings from the King's posts. 316

Answer by Thomas Dunn and William Grant, 22nd October, 1766, to the petition of Joseph Howard, giving a detailed statement of their titles, &c., to exclusive trade at the King's posts. 318

1766.

Carleton to Allsopp, 17th October, 1766, declining to interfere in his case, which is now before the King. Page 326

Speech of the Missisquoi (Abenaki) Indians, 8th September, 1766, praying to be protected in their lands and that no traders be allowed to bring in spirituous liquors. Answered by the Governor that inquiry would be made. 328

Speech of the Seven Confederate Nations of Canada, 8th September, 1766, to the Governors of Quebec and New York, with the answer. 331

Address of the Council to Carleton, 24th September, 1766. 338

The answer by Carleton, same day. 340

Answer to an address presented on 26th September, 1766 (the address is at p. 386). 342

Address of the merchants of Quebec, presented 27th September, 1766, (English and French in parallel columns). 344

The answer. 349

Address by the magistrates of Quebec, presented 29th September, 1766. 350

The answer. 352

Address from the merchants of Montreal, 12th October, 1766 (a previous one was presented on the 4th of October) English and French. 354

The answer. 358

Proclamation by Murray, 9th March, 1765, forbidding all trading to the posts held by Dunn and Gray, till after the first of August next, English and French. 359-360

List of the members of the Council, with the dates of their admission, October, 1766. 361

Proceedings of Council, 25th August, 1766. The Commander-in-Chief to meet the Governor of New York to settle the boundaries between the two Provinces. Orders to have steps taken for the repair of roads in the district of Montreal. 362

The same, 8th September, 1766. Provisions ordered to be supplied to Acadians from the Province of New England. 363

The same, 24th September. Address to His Majesty. Carleton's commission given in full (p. 367). 365

The other proceedings are: Answer of Carleton to address; oaths of office taken by the members and officials; Hey sworn in as Chief Justice; Maseres presented *mandamus* to constitute him Attorney-General. 370

On the 26th September, the commissions to Hey and Maseres were laid before Council, and the oath taken by Hey, Maseres not being present. 375

On the 26th, Maseres took the oath of office. Order to supply Acadians from New England with a month's provisions. 377

The same, 9th October. Petitions of Howard, and resolutions respecting the King's posts. 378

Petition of George Allsopp, 11th October, 1766, respecting his suspension from office. 381

November 9, Quebec. Carleton to Shelburne Joncaire has applied for leave to be given to his brother Chabert to carry goods to the Indian country, he having, as Joncaire alleges, only been forbidden by Murray till he had taken the oath of allegiance; asks instructions. Sketch of the Chabert family; Joncaire's abilities; he might be employed to advantage were it safe to do so. He is to sail in the "London" in a few days. His Lordship may obtain more information, so that different accounts of Joncaire may be compared. Trial of Dupré for the evasion of duties on liquors

1768.

Dupré acquitted. A statement of the case shall be sent to the Treasury. Page 400

November 12, Quebec. De Glapion, superior of the Jesuits, Quebec, to Shelburne. Memorial (in French) setting forth that the Jesuits were established in Canada by the benevolence of the Kings of France and individuals; that their number, formerly upwards of 40 is reduced to 21. Their chief purposes were: 1. The instruction of the Indians in the knowledge of the true God. 2. The education of youth. Their inability since the siege of Quebec to carry on their work, from want of teachers and buildings. That their remaining buildings are occupied chiefly as storehouses, and partly as officers' quarters. They pray that their services be retained for the instruction of the Indians and the education of youth, and petition: 1. That the written order by Murray forbidding them to receive persons, whether European or Canadian, be revoked. 2. To order all their buildings to be given to them for their own use and possession. 3. For indemnification for the damage done by the commissaries to a large building held as a storehouse for seven years. 41

November 17, Quebec. Carleton to the same. Sends letter from the Jesuits. That society and all the clergy believe that Murray's order not to admit any new conventuals was a mistake of his and not the King's intentions, and they have written direct to His Lordship to make sure of their representations reaching. The belief that Murray was mistaken arose from his having, at a dinner he gave to the clergy, read the paragraph in Egremont's letter of 13th August, 1763 (see Q. 1. p. 117) against "all Popish hierarchy, without giving unnecessary alarm or disgust," which terms they have treasured up in their memory. The interpretation put upon it by Montgolfier and the rest is that the regulars were never included in the term "hierarchy" and that, therefore, Murray has misunderstood the order. Sends letters to the Chancellor of the Exchequer to show the state of the revenue. 40

November 17, Quebec. The same to Charles Townsend, Chancellor of the Exchequer. That he is sending documents relating to the finances of the province. 40

November 17, Quebec. The same to the same. Enclosing copy of a proclamation that he has relinquished all fees and perquisites during his command in the Province for reasons given. It is unbecoming in a governor of a distant Province to receive such emoluments; the Province has been impoverished by the war; the frauds of Bigot: the retreat of many of the richest families so that the imposition is burdensome. "There is a certain appearance of dirt, a sort of meanness in exacting fees on every occasion.....I think it necessary for the King's service, that his representative, at least should be thought unsullied. The fees for liquor licenses should be increased, not diminished, for the good of the people." This fund he would apply to the relief of the distressed noblesse, which had hitherto depended largely on the French crown. The licence money is to be paid to the Receiver-General, so that any favours may be granted direct by the King, and not proceed from the private charity of a governor. 41

Proclamation follows. 41

November 21, Quebec. Carleton to Shelburne. Abbé Joncaire was landed below Quebec and has returned there. He purposes to pass the winter in Canada and in Spring return to Europe by New York. He alleges the danger of crossing at this late season as the reason of the change. 39

November 24, Quebec. The same to the same. That St. Luc Lacorne, Captain Fraser, Captain Campbell, Captain Disney, Lieut. Evans and Mr. Howard have been arrested on the charge of being concerned in the Walker outrage; the Chief Justice has refused bail, but will hear argument to-morrow in support of the demand. Sends plan of Lake Champlain to show lands granted by the French. 39

1766.
November (?), London. Memorial to Shelburne, by merchants of the city of London, interested in the trade of the Province of Quebec, for the regulation of the Indian trade. Page 420

CORRESPONDENCE BETWEEN GOVERNOR CARLETON AND THE ENGLISH MINISTRY—1766–1767.

Q. 4.

1766.
November 19, Montreal. Colonel Massey to Captain Fraser. That he would, but for his lameness, have called before he (Fraser) was to set out. In this matter he (Massey) had only done his duty. Page 20

A similar letter to Captain Campbell of same date. 21.

November 26, Quebec. Carleton to John Fraser and others. That he cannot interfere with the judgment of the Chief Justice, refusing bail. 38

November 29, Quebec. The same to Shelburne. Meeting to insist on Fraser and others being admitted to bail. The proposal to go to the Chief Justice and to Carleton in a crowd abandoned, but memorials for admission of Fraser and the others to bail were presented. This is the first attempt to disturb the peace since his arrival, or to interrupt the free course of justice, and as so many men of distinction had taken part in it and it was of such a dangerous tendency, he had made an example by removing Irving and Mabane from the Council. The Chief Justice sends his account of his own conduct, and sends another account to be laid before the judges. The measures taken have brought every one to a sense of duty. The Chateau de Vaudreuil has been hired for the reception and trial of the prisoners, as there is neither gaol nor court house. 40

November 29, Quebec. The same to Irving. Answer to the memorial for the release of the six prisoners charged with being concerned in the assault on Walker, pointing out the impropriety of the proceedings and that had he interfered with the decision of the Chief Justice, he would have acted illegally, &c. 44

The petition translated into French and signed by 17 Canadians, dated 23rd November, 1766, was enclosed in Carleton's letter to Shelburne. 48

November. Papers relating to the charge against John Fraser, St. Luc Lacorne and others for being concerned on the attack on Thomas Walker. (Papers from p. 1 to 20 and at p. 133 were published in full in Report on Archives for 1888, at Note A). 1 to 20.

December 13, Montreal. John Fraser and others to Shelburne, with copies of documents relating to the Walker outrage. Bail has been refused and they are now in custody in Montreal. 36

December 20, Quebec. Carleton to the same. Has had no complaints of outrages on the Indians, but has laid the matter before the Council which is framing a proclamation to meet any complaints. Has written to the Commander-in-Chief, to Sir Henry Moore and to Sir William Johnson for information. 34

No date. The seigniors of Montreal, petition (in French). Thanks for the repeal of the Stamp Act; for the appointment of Murray; who, they had hoped would have been retained. They pray for two favours: 1. The suppression of the registration, the expense exhausting the Colony, without yielding any advantage. 2. That all subjects in this Province, without distinction of religion be admitted to all offices, on the ground only of talent and personal merit. 31

Petition (in French) of the seigniors of Quebec, praying that Murray be retained as Governor. (Printed in full, in the report for 1888, in Note B). 23

1767.
January 3, Quebec. Carleton to Shelburne. Enclosing memorials by Messrs. Cugnet ar Tachet, on behalf of themselves and co-heirs of land on the North shore the St. Lawrence, of the islands on that coast and of the island of An costi. The memorials he advised them to lay before the Attorney Ge eral of the Province, whose opinion is enclosed. These grants are chief within the dependencies of Newfoundland; he will, therefore, on observe that the fisheries there have been a considerable resource to th Province, and that the Canadians seem to be best calculated to carry the winter seal fishery, the season for which is in December, whe navigation is impracticable, and the weather so tempestuous, that a fix establishment on the coast is necessary for the protection of the fishe men, &c. By proper regulations the winter fishery cannot ir terfere wi the cod and whale fishery. The evil effects of debarring the Canadia from its exercise. The extent of the grants becomes less obnoxious, b the division of them by descent, as the original grants are now divid among 30 families, now resident in the Province. Transmits also petition from the principal merchants respecting these fisheries, whi are considered here of great importance. Page

January 27. Johnson Hall. Sir William Johnson to Carleton. The causes of discontent amo the Indians. The intrigues of the French; the ill-judged economy a prejudice among the British; late conquests have added strong jealou to former dislike. The mischief the Indians can do unless their frien ship be secured. Outrages to the south have been committed on t Indians, who are increasing, many of the best disposed Indians bei inhumanly murdered by lawless people on the frontiers. Is happy find that such acts of cruelty do not reach his (Carleton's) governme The advantage under French rule of traders going among the Indian but now from a weak hope of a revolution, there are so many instanc of their treachery that it is dangerous to trust them. English a French traders from Canada are at the Posts of Toronto, &c., and five the Miamis without passes. The mischief unlicensed traders are doi The attack made on Croghan from the opposition raised by the Fren on the Illinois, who are striving to renew the war. The numero French traders scattered over the continent without inspection, &c. 1

February 14. Quebec. Carleton to Shelburne. Transmits minutes of Council and proclan tions. Discovery of silver on the Seigniory of Rigaud, 16 leagues fr the town, with what is supposed to be gold. M. de Lotbinière propos to set out for England, and will wait on His Lordship with informati on the affair, and specimens. He (Carleton) shall have the matt investigated when the snow leaves the ground, and shall try to se samples in June to be tested. No grants shall be made of the ungrant land, supposed to contain the mineral, until the matter is examined.

Enclosed. The remonstrance of members of the Council, on t subject of consulting with only a part of them, dated 1st Decemb 1766.

Answer by Carleton.

List of members of Council, 1st December, 1766.

Proceedings of same date. The removal of Irving and Mabane.

Thomas Dunn sworn in as Councillor.

Other oaths administered and petitions presented.

2nd December. Accounts of public officers to be presented Council.

3rd December. Reward offered for the apprehension of all guilty violence and murder. Reports of Committee on Accounts.

Petitions for grants of land, and other business to the 23rd D cember. 68 to

1767.

Report (8th January, 1767) of Maseres, Attorney-General, on the proclamation, &c., for the discovery of the persons who attacked Thomas Walker in Montreal, including minute of the Privy Council held at St. James; dated 22nd November, 1765. Page 76

Letter from Conway to Murray, 21st March, 1766, sent by Walker, that he is to be restored to the magistracy, &c. 79

Further proceedings of Council, with copies of ordinances and proclamations. 82 to 97

February 15, Quebec. Carleton to Gage. That forts of Crown Point, Ticonderoga and Fort George should be repaired as soon as possible. It is for the interest of Great Britain to have this done, and to erect a proper place of arms near New York and a Citadel in or near Quebec, with temporary works at other places. These will secure communication with the Mother Country, link Quebec and New York closely, and facilitate the transport of 10,000 men on the beginning of a war. The influence the Provinces of Quebec and New York must have in the American system, no pains can be too great to root out faction or party, to establish tranquillity and a firm attachment to His Majesty's Government, at the same time to show such strength as will overawe those who are not thoroughly bound to their duty. The bad state of the walls of Quebec. 100

March 4, Montreal. The same to Shelburne. The public accounts of the Province were under consideration but could not be finished before he left for Montreal, to which place he had come on account of the trial on Walker's affair. The heats are subsiding that had been industriously stirred up and people are becoming sorry about the animosities. 98

March 5, Montreal. The same to the same. That the grand jury has thrown out the bill against Lieut. Evans, one of the six gentlemen arrested for Walker's affair; it is believed the other bills will share the same fate. The Knights of St. Louis objected to by Walker as Grand Jurors, not having taken the oath of allegiance; they removed the objection by cheerfully taking the oath. 103

List of the grand jury enclosed. 105

March 15, Three Rivers. Carleton to Shelburne. Reports the proceedings at the trial of Major Disney, accused of the assault on Walker, the grand jury having brought a true bill against Disney only. Walker and his wife presented for perjury by the grand jury, the individual members of which intend to take an action for defamation against him. Renewed animosities on account of the Walker affair. It will be a work of time to get everything restored to a state of harmony, but he can depend entirely on Hey, and with his assistance and the support of the Government at home, has no doubt he will succeed. 108

March 27, Quebec. The same to Sir W. Johnson. That each should communicate to the other all the information received regarding the Indian trade. The French necessary rivals, often enemies, in this trade; it is by wise regulations, honest dealing and kind treatment of the Indians that they can be attached. The conduct of the Canadians contradicts the reports of their improper dealings with the Indians. If the present restraints are continued, many will be ruined and only the French will profit, by turning the furs down the Mississippi, instead of the St. Lawrence. Gives the opinions of the Canadian traders at considerable length. Respecting traders reported to be among the Indians without passports. 122

March 28, Quebec. The same to Shelburne. Sends complaints from merchants in the Indian trade of the detriment to them from traders being confined to the Posts of Niagara, Detroit and Michillimakinak and not allowed to go to the distant Indians. Believes that those raising prejudices among the Indians are from New Orleans, not from Canada, where they feel it to be

1767.

their interest and duty to preserve the Indians in peace. The destructive effects of spirits on the Indians. Will be able, before the end of Summer, to send list of the old French trading posts, some of them 900 leagues beyond Michillimakinak, to great lakes and regions unknown to any of His Majesty's old subjects. Discusses the proper method and system under which the Indian trade can be carried on; pointing out the various methods that could be followed. Page 111

March 28, Quebec. Carleton to the Lords of Trade. That the Canadians may prove useful in the prosecution of the Indian trade, &c. 198

Enclosed. Memorial on the Indian trade, dated, Montreal, 20th September, 1766. 200

April 14, Quebec. Chief Justice Hey to Lord Shelburne. Report of the proceedings in the Walker affair. (Printed in full in report on Archives for 1888, at Note A.) 133

April 15, Quebec. Carlton to Shelburne. Sending accounts and returns. 152

Enclosed. List of the papers sent. 155

List of salaries of the civil establishment, Quebec, in September, 1766. 157

Estimate of annual contingent expenses. 159

Military establishment of the garrison. 160 161

Revenue received for Lods et Ventes. 162

Note respecting the tenure of lands under the French government. 164

List of persons indebted for the right of the fifth penny and Lods et Ventes. 166

List of lands granted since the establishment of civil government in 1764. 168a

Account for licence money. 170

Abstract of the *debt of the Province* on 24th December, 1766. 171

Account of balances of salaries due. 172

May 14, Quebec. Carleton to Shelburne. Transmits list of fees established by Murray and documents relating to the collection of licence money for Murray's use; in answer to a letter by Murray, published in *Lloyd's Evening Post*. The motives that led him (Carleton) to give up the collection of fees, so much and justly complained of; enters at some length into the consideration of the question of fees. 173

List of fees for the several offices in the Province of Quebec. 179

May 26, Whitehall. Shelburne to Carleton. The King's approbation of his prudence in remedying disorders. Questions in dispute, relative to lands, &c., are under consideration. Approval of the conduct of the Chief Justice in the Walker affair; is glad to find that the prisoners are likely to be acquitted. The petitions of Cugnet and Tachet have been referred to the Board of Trade; shall be glad to receive the specimen of ores from the lately discovered mines. 106

June 20, Whitehall. The same to the same. His Majesty's approbation of his whole conduct, and of the conduct of the Chief Justice and Attorney General in respect to the Walker affair. The question of the administration of government is under consideration, and especially how far it is practicable and expedient to blend the English with the French laws to form an equitable and convenient system. Returns of the Indian trade under French Government will be useful; he is to encourage the Indian trade, but to regulate it strictly so as to prevent frauds and violence. That disorders of the back settlements arise, he suspects, from the fraudulent grants and purchases of land, countenanced by former governors from shameful motives. It is unfortunate that the Indian trade requires so many regulations, as it is the general nature of trade to regulate itself; recommends cultivating the friendship of Sir William Johnson, whose

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bravery and success among the Indians have given reason to confide in him. Page 129

June 11, Quebec. Carleton to Shelburne. Enclosing minutes of Council to April. 208

Enclosed. Minutes of 3rd February, 1767. That the Surveyor General shall allot to the inhabitants of the Seigniory of Deschambault the lots granted by the King in the grants to M. de la Gorgendière's ancestors, and of the grants made by them to several inhabitants, so far as these latter are consistent with the original grant. 209

Minutes of 17th February. Petitions presented. 211

Minutes of 23rd March. Petitions for lands from David Chalrand de L'Isle, clerk; Nicholas de Guise and J. B. Oylet, and the Baron of Montreal. Also of Ainslie, Collector of Customs, for the grant of the King's wharf, Quebec. 212

Minutes, 11th April. Report on the public accounts, followed by details and remarks. 214 to 228

Minutes, 20th April. Petition from inhabitants of Eboulement for grants of land in the Bay of Chaleurs. 229

Minutes, 29th April. Reports on petitions. Advertisement to be published to discharged soldiers entitled to lands on Gaspé and Bay of Chaleurs. Joseph Philebert refused, the lands applied for being Indian reserves. 230

Decisions on other petitions given in detail, routine business, &c. 231

July 8, Quebec. Carleton to Shelburne. Respecting two brothers Joncaire, one a priest, of whom he would speak afterwards, the other who takes the name of Chabert, who served in the colonial troops, went to France in 1761, where he was sent to the Bastile and kept two years. Details given of his losses by being prevented on his return with goods to carry them to the Indian country; reasons given for grantiug him permission; the objections of the Indian Superintendents to his going among the Indians, and the leave subsequently granted. 236

The correspondence referred to in preceding letter follows. 240 to 252

July 14, Quebec. The same to the same. Sending samples of ores from Rigaud, 16 leagues from Quebec. There are many reports of mines of gold and silver; suggests sending a qualified person to examine the subject on the spot. 253

August 29, Quebec. The same to the same. Sends additional samples of ore by Mr. Brook Watson, who can give good information about the country. 255

September 22, Quebec. The same to the same, with minutes of Council to 1st June. 257

Enclosed. Minutes of the 2nd and 4th May, with report on the charges against William Klock, clerk of the Common Pleas, on which he was dismissed from office. 258

Minutes, 8th May. Complaints by Indians (Caughnawagas and Abenakis) respecting encroachments on their several lands, and from Indians of Lake of Two Mountains, as to the sale of liquors by traders. Other petitions. 265

Minutes, 15th May. Lease of St. Maurice Forges approved of. 268

Minutes, 16th May. Petition of Acadians for land at Restigouche refused, the land being an Indian reserve, but recommending that they should be assisted to settle in the interior. 269

Minutes, 26th May. Petition for land. 270

Minutes, 8th June. Committees appointed to investigate sundry matters. 271

September 24, Quebec. Carleton to Shelburne, with memorial of de Léry. (This and the memorial were printed in full in report on Archives for 1888, Note C.) 273

List of Canadian gentlemen in the French service, whose parents have remained in Canada. (The name of de Quindre is omitted in this list. The full list was published in report for 1888.) 297

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September 26, Quebec. Carleton to Shelburne. Thanks for the King's approbation. The civil and military are recovering their senses. Page 302

October 9, Quebec. The same to the same. Sends deposition by Potter against Rogers, for a plot at Michillimakinak. The evil effects of allowing the commandants to accept presents. The doubtful character of Potter, who says he was used by Rogers for bad purposes. The extravagance of Rogers which has led him into difficulties, adds to the evidence given by Potter, but it is not improbable that jealousy and revenge are at the bottom of the affair. Potter has had his expenses paid to Europe, which, from his state of health, he may not reach. 304

Enclosed is the correspondence. Claus to Carleton, 1st October, 1767; Lieut. Benjamin Roberts to Guy Johnson, Michillimakinak, 20th August. Information by Potter. Deposition of Potter, 28th September. Potter alleges that Rogers threatened to carry off the goods of the traders and to go to join the French and Indians. 307 to 318

October 9, Quebec. Carleton to Richard Sutton. Note by Potter, requesting that he be introduced by Sutton to Lord Shelburne. 319

October 24, Whitehall. L. Macleane to Carleton. Sends a list of official letters dispatched to Carleton since Lord Shelburne has been appointed Secretary of State. 256

October 30, Quebec. Carleton to Shelburne. Return of Abbé Chabert to Europe; suspicions created as to his motives for his coming to Canada, when it had submitted to a foreign power, after he had resided for 27 years in France. He has been very useful to his brother, in whose interests he professed to come. Has reason to believe that he has the ambition to wear the mitre, should a coadjutor be appointed. Should this be granted, the bishop would be consecrated here, without sending to a foreign government for that purpose. He has not met with the encouragement he expected from his brethren, and neither he, nor any one who has lived so long out of the Province is proper for the office. The clergy anxious to complete the chapter, but he has in the meantime put them off. Two parties exist among the clergy, the natives of old France and the natives of Canada. It would be judicious to give the latter what advantages there are. The Abbé Joncaire proposes to return after settling his own and his brother's affairs. All priests intending to come to Canada should be furnished with a passport, so that the restraint on the intercourse should come from the other side of the water rather than from this. 320

October 30, Quebec. Francis Mackay to the same. His appointment to the office of Surveyor of Woods. His delay to come to Quebec. Asks for instructions regarding lands granted by the French King without the usual reservation of masts, &c. 323

November 14, Whitehall. Shelburne to Carleton. His conduct towards Chabert approved of. It has been represented that the Jesuits in Canada are making large remittances to Italy and are diminishing their effects for that purpose. If the reports be correct, their annual rent is £4,000 and their effects £70,000. Care must be taken that they do not embezzle property in which they have only a life rent; Father Roubaud asserts these statements of income, &c., to be moderate. He complains he has received nothing from the Jesuits since he was sent over by Murray, and as he is in want, the King commands he is to receive a reasonable amount from the Jesuits, who are to pay his arrears. His character is very dubious, but being useful, he should obtain some reward. His Majesty approves of the attention paid to the mines; the ore has been sent to the mint. The reason for Allsopp's suspension to be inquired into. Memorials respecting the Indian trade sent to the Board of Trade. The exploration of the interior of North America to be encouraged. 298

December 17, Whitehall. The same to the same. An investigation to be made into the state of the Judicature of Quebec. Maurice Morgan has been appointed for this

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purpose, with whom are to be associated the Chief Justice and other intelligent and well instructed persons. Page 325

Enclosed. The resolution of the Privy Council on the subject, dated St. James', 28th August, 1767. 327

Letter of instructions to Maurice Morgan of 17th December. 331

CORRESPONDENCE BETWEEN GOVERNOR CARLETON AND THE ENGLISH MINISTRY, 1767–1768.

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November 4, Quebec. Carleton to Shelburne. Transmits memorial respecting Canadian paper. The fear of the memorialists that the larger proportion of the distribution must fall to the British merchants, chiefly holders of ordinances and cards, than to Canadian traders, who hold letters of exchange and certificates, and they are afraid they are to be excluded from any share. They pray to share equally with their fellow subjects in the indemnification given by France. Page 238

Memorial (in French) follows. 240

November 20, Quebec. Carleton to Richard Sutton, Under Secretary, with copies of ordinances. 1

Ordinances (English and French.) 2 to 237

November 21, Quebec. Carleton to Shelburne. With memorial from the merchants of Canada, remonstrating against the application of a Bankruptcy Act. The opinion of the Attorney General is that it can be put in force, but in the circumstances he has held it in abeyance, in accordance with the prayer of the memorial, until he receive the sense of government on the subject. Further remarks and reasons. 245

Memorial enclosed. 248

November 23, Quebec. Carleton to Shelburne. Reports the seizure by the "Canso" of the Brigantine "Charming Peggy," loaded with wine, and her condemnation by the Admiralty Court. 251

November 24, Quebec. The same to the same. Transmits memorial from Cugnet and Taché respecting the hardship to which they are subjected by the advantage taken of the rule respecting the arrival first on the coast of a vessel from Europe. He (Carleton) points out the hardship to the petitioners, and that no advantage is gained by Britain by interference with an industry which they and their ancestors had carried on for a hundred years. 253

Petition (in French) from Cugnet and Taché respecting the fisheries at Mingan, &c. 255

Memorial of Jean Taché, merchant, Quebec, respecting the post of St. Model, on the north shore of the Straight of Belle Isle. 258

November 25, Quebec. Carleton to Shelburne. Respecting the relative strength of the old and new subjects, the policy of the French Ministry, &c., &c. (This letter with lists of noblesse in Canada and of those of them who had gone to France, was published in full in Report on Archives for 1888, Note C., beginning at page 44.) 260 to 280

December 9, Quebec. The same to the same. Sending minutes of Council to 30th September. 281

Minutes, 15th July. Complaint by Indians of Two Mountains that rum is sent to their village. Report and documents relating to the collection of wine duties. 282 to 290

The same, 3rd August. A detachment ordered to Two Mountains to prevent the trade in rum, &c. Proclamation that those holding papers relating to public affairs under the French Government, are to deliver them to the clerk of the Council. 290–291

1767.

Minutes, 7th August, 1767. Petitions on private business dis missed. Page 29

The same, 11th, 13th and 27th August. Private petitions disposed of, among others, one from William Titchbourne for the exclusive privi lege of issuing promissory notes for small sums, to supply the want o copper currency. 29

The same, 31st August. Various petitions, among others, one for the adoption of Halifax currency, referred for investigation. 29

December 10, Quebec. Carleton to Shelburne. Sends copy of letter to the Treasury respecting provincial expenditure and duties, &c. 29

December 10, Quebec. The same to the Treasury. Sends account of the present civi establishment of the Province, with estimates, a scheme of article on which duties might be laid, &c. The present situation of the law and revenues of the Province very prejudicial to British interests and requires speedy arrangement. Remarks on the necessity of having official salaries settled; on the steps taken to prevent the sale of rum to the Indians; the payment of an interpreter; on the want of regularity in the revenue accounts, &c., the causes of enlarged expenditure during some years, including the ruinous state of the public buildings, assistance given to those ruined by the war, &c., &c. Trade forced out of its established channel, has not yet settled into a regular course, so as to determine what duties could be levied with least inconvenience. Send list and estimate of amount that may be collected by proposed duties the most certain revenue would be that upon spirits. To divert the ruinous trade in rum from the New England Colonies is the principa object of the proposed regulations; further remarks. 30

Proposed duties, expenses and other tables. 305 to 31

December, 24, Quebec. The same to the same. Gives a summary of the laws of Canada, a the time of its submission, which were overturned by the ordinance o 17th September, 1764. Had prepared an ordinance on the subject, bu had not submitted it. Had directed an abridgement of the laws in force on the arrival of the British, to show the differences, so as to take steps to remove discontent. The confusion in the administration of law in the different courts. The future effects of the change in respect to property and succession among the Canadians. The former immediate and inexpensive decisions in legal cases, as compared with the present delay and heavy expense, so that the courts are rather an oppression than relief to the injured. He advises the repeal of the present Ordinance and to leave the Canadian laws almost entire, to be altered a circumstances render advisable. Such laws as are to be immediately introduced might be published as a Canadian code, as practiced by Edward First after the conquest of Wales. Judges to reside in each district with a Canadian assistant, to be paid a salary and no fees allowed and that the fees of the inferior officers should be fixed as under the French Government, &c., &c. 31

Proposed Ordinance for continuing and confirming the laws and customs that prevailed in this Province in the time of the French Government, concerning the tenure, inheritance and alienation o lands. 323

1768. January 13, Axminster. George Jackson to Sutton. Sends letter and packet from Carleton had arrived after 52 days passage; on landing the boat was filled with water and everything thrown out, so that the three volumes o Ordinances are damaged. 243

January 18, Quebec. Carleton to Shelburne. Transmitting minutes of Council. 35

Minutes, 19th October, 1767. Hugh Findlay admitted a member o Council; Committees on Ordinances &c., appointed. 35

The same, 10th November, respecting ordinances. 35

1768.

Minutes, 28th December. Report of Committee on Ordinances and regulations respecting streets and roads, with evidence. Page 355

January 19, Quebec. Carleton to Shelburne. Transmits petition from merchants, &c., for the introduction of Bankruptcy Act, being in opposition to a previous memorial praying that such an Act should not be introduced. It seems to him that the British merchants are chiefly interested, and should they be opposed to the introduction, the credit of the Province might be greatly affected. 365

Petition follows. 367

January 20, Quebec. Carleton to Shelburne. Urging various means for impressing the new subjects with attachment and zeal for the King's government, whose interests would only be half advanced even were the military defences impregnable to a foreign enemy. Suggests (among other measures) that part of the Councillors be selected from the Canadians; that a Canadian corps be raised, and that offices in the King's service be bestowed on them. The Canadians, like all other people, fond of the laws and form of government they have been educated under; their repugnance to a Legislative Assembly. The movers among the old subjects for such an Assembly, but he cannot induce them to lay down any laws for its guidance or scope. The difficulties of a Governor in the Colonies in dealing with Assemblies, arrising from causes stated. 370

February 16, Quebec. The same to the same. Recommends Mr. Colin Drummond to succeed Mr. Stewart in the Council. As three must be named, he recommends as the other two Mr. Maseres and Mr. James Johnstone. The difficulty of finding fit men for the office. 378

February 17, Quebec. The same to the same. Recommends that a mandamus be issued in favour of Captain Holland, so that he may take the place he formerly held at the Council table, when appointed by Murray. 380

March 2, Quebec. The same to the same, with map, lists of posts, and remarks on the fur trade carried on by the French, and suggestions for exploring the continent, &c. (The map is not with the letter). The letter was published in full, with list of posts, in the report on Archives for 1886, in note D.) 382

March 2, Quebec. Sir William Johnson's proposed regulations for the Indian trade, with objections by the Quebec merchants. 391

A memorial from the merchants of the Province of Quebec for a free and open fur trade, dated 15th January, 1768. 398

March 3, Whitehall. Lords of Trade to Lord Hillsborough, sending opinion on the claims of Messrs. Cugnet and Taché, to property in, and exclusive possession of, land and fishing posts on the coast of Labrador. 328

Opinion referred to. 329

Report on the claims, from the Attorney and Solicitor General, enclosed. 332

March 6, Whitehall. Hillsborough to Carleton. Remarks on the contents of letters received. His Majesty's approbation of his proceedings in the King's service and for his humanity and tenderness to the new subjects. Will try to send in his next a favourable answer to de Léry's memorial. The Canadian subjects may be assured of the King's gracious disposition. Respecting the conduct of Major Rogers at Michillimackinak. His (Carleton's) observations respecting Abbé Joncaire shall have attention. He (Hillsborough) agrees in the opinion, as to a co-adjutor, his idea to give a preference to the Canadian clergy is judicious; it is right to discourage the introduction of foreign priests, which may be made popular among the Canadian clergy, but that must be left to his discretion till there is a regulation about religion in general, when such introduction might be prohibited under severe penalties. The Earl of Shelburne will continue to take charge of the Quebec Act. Refers to the cases of the

1768.

vessel seized and condemned, and to that of Cugnet and Taché. Havi
been one of those who drew up the proclamation of 1763, he can a
that, whatever legal sense can be drawn from the words, there was
idea to overturn the laws of Canada with respect to property, but t
justice should be administered as in England, as is the case in Kent
many other parts of England, where gavel kind boroughs and seve
other particular customs prevail, although justice is administered ther
according to the laws of England. It was unfortunate for Quebec, t
weak, ignorant and interested men were sent to carry the proclamat
into execution; their absurd and cruel course. His prudent cou
regarding the application for a Bankruptcy Act. The question o
citadel is refered to other Departments. The King approves of
proposed ordinance (p. 323); in the meantime, and pending a gene
settlement, he is to continue to make use of every lenient and pro
argument to convince His Majesty's new subjects of his tender conce
for their welfare and security. Page

March 16, Quebec. Carleton to Shelburne. Sends Ordinances for licencing public hou
and for preventing accidents by fire, with remarks. 4

The ordinances follow. 403-4

April 9, Quebec. Carleton to Shelburne. Minutes of Council sent. 4

Minutes, 5th January, 1768. Petitions received. 4

The same, 2nd February. Report on the public accounts; report gi
details in full. 423-

The same 4th February. Ordinance read. 4

The same, 8th February. Report on petitions laid on the table. 4

The same, 16th February. Consideration of Ordinances; rep
ordered to the King's wharf. 4

The same, 23rd February. Ordinances approved. A good Fren
translator to be offered five shillings sterling a day. Election of bailif
repairs to King's wharf, &c. 4

The same 14th March. Inquiry ordered into the cause of Allso
being superseded; petitions received; and advertisement to soldiers w
have drawn land on the Bay of Chaleurs. 4

The same, 28th March. Instructions by the King (28th August, 176
for establishing Courts of Judicature entered, and a committee appoint
Ordinances amended. 4

April 11, Quebec. Carleton to Shelburne. Sends list of fees exacted by public officer
the delay owing to unwillingness to furnish the information. It
impossible to restrain all the abuses this method of rewarding servic
is productive of; there is no penalty for infringing the regulatio
Specimens sent will show how ingenious officers are in eluding the orde
of Government. The burdensome amount, the bad effect the abuses ha
on the minds of the Canadians. 4

(For the list of fees and documents mentioned in this letter, see Q. 5
p. 445).

May 14, Whitehall. Hillsborough to the Governor of Quebec. Letters received, whi
only enforce what was before mentioned; their contents are answered i
previous dispatch. Believes that there will be a favourable answer to
de Léry's application. Death of the Princess Louisa, the King's sister. 3

June 11, Whitehall. The same to Carleton. The copy of his instructions sent will sh
that his wishes respecting the Council have been met. The account
the Indian posts received will be useful in forming regulations for t
trade. The Ordinances have been referred to the Board of Trade. 4

Correspondence between Governor Carleton and the English Ministers—1768.

Q. 5-2.

1768.
January 30, Michilimakinak. F. Spiesmacher, Captain 60th Regiment, to Guinand, London. Had been sent by the Commander-in-Chief to this post to confine Major Rogers for high treason, which was done. Information by an Indian of the dealings of Rogers with the French, in whose interest he was, and through whom he expected to make his fortune. Details given of the intrigues carried on by Rogers with the soldiers and Indians, with a view to take the post, carry off the merchandise and ammunition and kill the officers and Frobisher. Details of the means to ascertain the truth of the report, the arrest of Rogers, who, with a man of the 60th, was put in irons. (The paper is dated as in the margin, but there are subsequent dates in the body of the letter.) Page 607

April 11, Quebec. List of fees, enclosed with letter of this date (Q. 5-1. p., 441), claimed by officers of Government in the Province of Quebec, given in by order of Sir Guy Carleton. 445

Copies of accounts to show how the fees are increased, and of gaol fees, for which a prisoner in civil process is held. 467 to 476

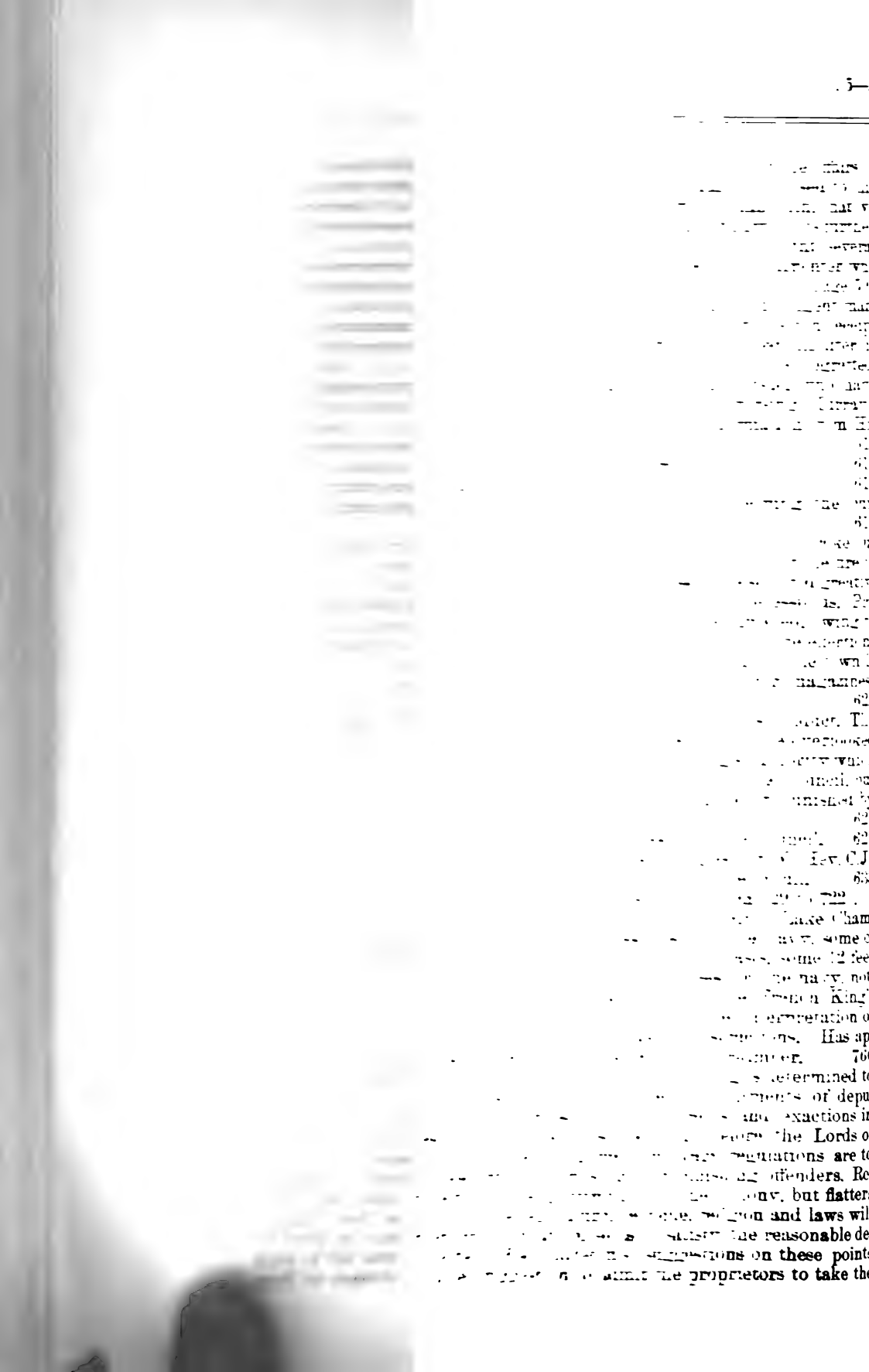
April 12, Quebec. Carleton to Shelburne. (No. 33). The difficulty of getting the lists of fees; the abuses caused by the farming of offices to the highest bidder. The lists of grants prior to the conquest of the country, now sent, were delayed in preparation by the ignorance of the language of those employed, although it must be said the old records are not so clear as could be wished. Remarks on the terms of the grants. Recommends, as certain to have a good effect, that all the proprietors should be admitted to take the oath of faith and homage which is very solemn and binding, and besides confirming the titles, it would recall from the French service those who hold lands here. Remarks on the terms of the grants already made, and those which might be inserted in new grants. He will extend and enlarge the proposed abridgement of the laws in force under French rule. 477

Enclosed. "Coutumes et usages anciens de la Province de Québec." 482

Abstract of seigniories granted by the French Governor and Intendant prior to 1760. 560

April 13, Quebec. Carleton to Shelburne (No. 34). Dispute between the Indians of Sault St. Louis and McKay, Surveyor General of Woods, respecting lands bought by him from Madame La Noue, and long held by the Indians. Arbitration proposed; the political advantage of conciliating the Indians; suggestions that McKay should receive an equivalent in money or land for the lands in dispute. 588

April 14, Quebec. The same to the same (No. 35). That since his arrival in Canada he has studied the motions of the clergy, their character, properties and revenues. Is convinced that the statement (enclosed) of the affairs of the Jesuits, made by Father Glapion, is fair and just. Their grants are extensive, but of little value (details given). Far from being able to remit large sums, he believes that after their repairs, etc., they are scarcely able to maintain themselves. They were in better circumstances before the Conquest, as they had 14,500 livres yearly from the King of France for missionaries, besides an estate in France which produced 11,000 livres a year, and which shared the fate of all their other effects at the time of their general expulsion. The Superior solemnly asserts that not a shilling has been remitted abroad, of which there is corroborative evidence. The bad character of Roubaud. If sent over will make the best of him. 590



1768.

oath of faith and homage is founded on sound policy. When full information is received regarding McKay's title in his dispute with the Indians of Sault St. Louis the case shall be considered. Is glad that the report of the Jesuits sending away large sums is incorrect; hopes that of the same kind respecting the Sulpicians of Montreal is as ill-founded. Inquires if the regulation not to allow any increase to the number admitted to nunneries and monasteries has been observed; the pernicious confinement of good subjects should be discouraged. Roubaud has been of service, but as he has raised enmity among his brethren in Canada, and can be of no service, he shall not be sent, but it does not become Government to see him deprived of his just rights, so his annuity is to be insisted on. Page 602

July 21, Quebec. Carleton to Hillsborough. Congratulates him on his appointment to the office of Secretary for the Colonies. 725

July 21, Quebec. The same to the same. Has been up the Cataraqui and about 40 miles up the Ottawa. Has received on his return mandamus from Mr. Montmolin, and another from Mr. Veyssière, to admit the one to the church and parish of Quebec and the other to those of Three Rivers. Points out the unsuitableness of the terms used in the appointments; already such extensive powers have led to difficulties in civil matters; if the powers are to extend to ecclesiastical rights, the evils must be much worse. Has, in the meantime, issued commissions empowering them to do all the good they can, without authorizing them to do mischief. Had so mean an opinion of Veyssière that he refused to recommend him. Montmolin's displeasure that his demand for tithes, &c., has been refused. There is already church room, and if the policy of preventing the Jesuits and Recollets from recruiting their numbers be continued, more will be found than is needed. 726

Form of Commission to the minister of a parish (Anglican). 730

August 12, Whitehall. Hillsborough to Carleton. His Majesty is greatly affected with the sufferings caused by the fire at Montreal. The King approves of his course in the case of Allsopp and of his restoration. Order-in-Council sent, confirming the boundary line between the Provinces of Quebec and New York. His (Carleton's) commission as Governor having been sent some time ago, the instructions are now forwarded. 723

August 4, Quebec. Carleton to Hillsborough. Sends minutes, &c. Two or three persons who had been trying to get up a petition for an Assembly having failed are now quiet. 732

Ordinance respecting pilots. 733

Minutes 5th April, 1768. Consideration of Ordinances. 744

The same, 18th April. Petitions received. 745

The same, 22nd April. Allsopp's suspension removed; he resumes his offices. Report of the fire at Montreal; relief ordered to the extent of $400. 746

The same, 5th May. Report on the claim to the lease of the King's Wharf, Quebec, read, and the petition dismissed. Ordinances considered. Bakers applying for a law as to licences. John Monteilhe's petition for confirmation of his title to an island and seigniory on Lake Champlain, dismissed. Advertisement ordered, prohibiting the cutting down of timber on the King's domain. 748

August 31, Quebec. Carleton to Hillsborough. With account of the manufactures of the country, so far as obtainable, as none is exported and hardly any brought to market. The policy of the French Court was to discourage manufactures, but the high price of goods in the last years rendered the people ingenious in supplying their own wants, and ever since they have manufactured some part of their clothing, which will increase rather than diminish, to the detriment of Great Britain, unless they are diverted to something

1768.

of more striking advantage. Suggests the cultivation of flax and hemp for which the lands are well adapted, and if by this means they could purchase they would prefer the well finished manufactures of Great Britain to their own; recommends also attention to the iron forges at Three Rivers. Encouragement in these industries would be more effectual than a prohibition to manufacture. Page 76

Report of the state of manufactures. 76

September 10, Quebec. Maurice Morgan to Hillsborough. Had arrived here on the 22nd August. The preliminary steps he has taken to examine and report on the reforms necessary in the judicature of the Province. 83

September 14, Quebec. Carleton to the same. Transmits ordinances, proclamations, &c. 77

(For part of these, see Q. 5-1, p. 1 to p. 237; the others in Q. 5-2, from p. 772 to p. 836.)

October 12, Whitehall. Hillsborough to Carleton. The commission issued to Montmolin and Veyssière approved of. The support of the Church of England and the toleration of the new subjects in the exercise of the Roman Catholic religion will be matters of serious attention in the general regulations. Protection to be given to the Established Church, and care taken that its offices are conducted with decency. Is concerned that the appointment of Veyssière is not agreeable to his wishes. Sends copy of letter from the Bishop of London on the subject. 75

Enclosed. The Bishop of London to Hillsborough. Recommends Richard Farmer to be appointed to East Florida. Had the Governor of Quebec sent his objections when Veyssière was coming to Quebec, he (the Bishop) would have been unwilling to take any part in soliciting an appointment, but the recommendations were so strong he had no option. 75

October 12, Quebec. Carleton to Grey Cooper, Secretary to the Treasury. Had received instructions to assist the Deputy Receiver General to collect the duties, points out the confusion and ruin that would follow the attempt to collect arrears; he and the Council agree that the matter be deferred and the duties begin next Spring, giving due notice. 84

Estimate of revenue on spirits, calculated from the quantities imported in 1765, 1766 and 1767. 85

October 12, Quebec. Carleton to Hillsborough. Dispatches received. The officers of Customs have not met with any opposition. 84

October 28, Montreal. Francis Mackay to the same. Asks for instructions to remove doubts as to the regularity of the notice of his appointment, the power to reserve timber for His Majesty's service, &c. 76

November 14, Quebec. Carleton to the same, with minutes of Council. 85

Minutes 4th July. Committee to prepare an ordinance respecting roads. Claims for damages by the falling of the King's forges in the *Cul de sac;* petition of John Fraser to be schoolmaster dismissed. Sundry petitions and order of survey on Indian lands, &c. 85

The same, 30th July. Instructions received to throw open the Indian trade, with documents. The recommendation of the Surveyor General to survey from the Cedars to Lake Ontario, approved of. Reports on surveys of lots received, other surveys ordered. 86

The same, 1st August. Petition. Reports on public accounts presented, with the accounts. 86

The same, 5th August. Report of Committee on petition of Colin Drummond and Jonas Clark Minot, respecting the King's Wharf entered in full. 87

The same, 6th August. Further respecting the King's Wharf. 87

The same, 16th August. Petitions received. 87

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Minutes 18th August. Petition for lands on the Restigouche refused, they being claimed by the Indians. Other petitions and minor business. Page 874

The same, 29th August. Petitions and entries of reports received. 876.

The same, 3rd September. Report (entered in full) of Committee on repairs to the Chateau St. Louis. Petitions for lands. 878.

November 15, Whitehall. Hillsborough to Carleton. Report on manufactures received; is concerned to find that the manufacture of linen and woollen is carried on to an extent he could not have conceived possible. Prohibition would be impracticable and impolitic; hopes that when arrangements are settled, a revenue may be obtained to encourage other industries. Birth of a prince. Opening of Parliament; addresses passed with unanimity, with the resolution to preserve invioiate the supreme authority of the Legislature of Great Britain over every part of the British Empire, will he hopes, defeat the views of those who seek to create disunion and disaffection. 839.

November 19, Quebec. Carleton to Hillsborough. Had communicated the opinion of the Attorney and Solicitor General to the claimants for the lordship of Mingan, of the islands of that name and of Anticosti. Had declined to forward duplicates of their answer, as they had already sent the original to a private agent to be laid before His Lordship. 883.

November 20, Quebec. The same to the same. Gives an account of the disputes as to the disposal of whale bone wrecked somewhere on the river. The disputes as to the rights of the officers of the admiralty court and his (Carleton's) powers in respect to it. 885

November 20, Quebec. The same to the same. (Secret). Does not believe reports about an attempt being in preparation for the recovery of Quebec by the Canadians. He has no doubt of their secret attachment to France, which will continue so long as they are excluded from employment in the British service. France naturally has the affection of the people and nothing has been done to gain one man. He, therefore, cannot be sure a treasonable correspondence does not exist, but, if so, it must be confined to a few, and it is possible the Count de Chatelest raised the report to create a jealousy, when the design to raise a Canadian Regiment was known, so as to prevent a measure that would fix their attachment to the British Government. Has had applications from most of the gentlemen of the Province to be admitted to the King's service, in which they would show their zeal and gratitude. Considerations as to the part France would take should the Colonies push matters to extremity. How the good will and friendship of the Canadians, and the safety of Canada could be secured. Refers to previous letters giving his opinion that the affections of the Canadians or a great force is necessary to secure the Province. 890.

November 21, Treasury. Thomas Bradshaw to John Pownall. To move Lord Hillsborough to inform the Lords of the Treasury if General Murray was given to understand that £1,500 a year was to be his salary as Governor of Quebec. 842

November 21, Whitehall. Pownall to Bradshaw. States that Lord Hillsborough cannot give certain information as to Murray's salary. The Treasury recommended £2,000 a year; Lord Grenville thought £1,200 enough. Hillsborough believes £1,500 to be a reasonable charge. 843

November 21, Treasury. Bradshaw to Pownall, transmitting letter from Francis MacKay (p. 768) for Lord Hillsborough's information. 845

December 10, Whitehall. Hillsborough to Carleton. Letter No. 5 (12th October) laid before the King. The letter to the Secretary of the Treasury sent to the Lords of Trade. 853

December 20, London. Count Chatelest Lamont to Hillsborough (in French). Urges favourable consideration being given to the claims of the Marchioness de

1768.

Vaudreuil respecting her lands in Canada, she being reduced to great distress. Page 854

December 24, Whitehall. Hillsborough to Count Chatelest (in French). Had the King derived any revenue from the Province of Quebec, he would have recalled to His Majesty's memory Lord Shelburne's promises to the Marchioness de Vaudreuil. So soon as the affairs of Quebec are settled, he shall do all in his power for her interests. Is pained at the distress of the Marchioness. 853

Correspondence between Governor Carleton and the English Ministry.—1769.

Q. 6.

1769.

January 4, Whitehall. Hillsborough to Carleton. His course respecting the dispute in the Admiralty case (Q. 5-2, p. 885) was dictated by a proper attention to the interests of the Crown, whilst that of the judges and officers was influenced by personal motives. His commission as Vice Admiral has been transmitted. Page 1

January 4, Whitehall. The same to the same. His remarks on the state and temper of the new subjects will be useful in the consideration of the measures under deliberation. The necessity of extending to that brave and faithful people a reasonable participation in the establishments which are to form the basis of the future government, but fears that faction and prejudice will prevent their employment in the military line, though he sees great advantage were they so employed. 3

January 18, Quebec. Carleton to Hillsborough. Has not yet received formal intimation for the payment of Mr. DeLery's pension, but has in the meantime paid him £100 for six months, to be charged to the secret service, till further orders, when it is desirable to make it public. Calls attention to the suspicious circumstance that Cadet, a Canadian of low extraction, raised from being a butcher to be *munitionnaire general*, has, after being released from the Bastile, remitted two or three thousand pounds sterling to be distributed among his old dependents and in charity to this and adjacent parishes. He is illiterate, but of good natural parts, and a fi person to be employed by the French Government, if they have design against this country. 5

February 14, Quebec. The same to the same. Sends minutes of Council. 1

Minutes 27th September, 1768. Buildings at Chicoutimi for the fu trade, erected by Merry and others, to be demolished. Committee o fees. Report of Committee on the damage done by the fall of the King' forges in Cul de Sac. Petitions for land. 1

The same, 14th October. Petitions, &c., received. 2

The same, 26th October. Formal business. 2

The same, 1st November. Formal business. 2

The same, 3rd November. Potts sworn in as Commissary of the Vice Admiralty Court. Petitions presented. 2

The same, 24th November. H. T. Cramahé, Walter Murray and Coli Drummond sworn in as Councillors. Committees, &c., appointed an orders sent to officers to furnish their accounts. 2

February 15, Quebec. The necessity of stringent laws to guard against fires. 2

Commission to John Frank to be overseer of chimneys in Quebec. 3

March 15. Quebec. Carleton to Hillsborough. Can only think of James Johnstone, Joh Gray and Jacob Jordan as fit persons to succeed Price in the Council It is difficult to select persons suitable from such a medley of people Urges the admission of some of the Canadian noblesse; points out th

1769.

advantages to be expected from this step. Sends list of 12 names, the first being that of Mr. de Lery, as he early gave proof of a desire to serve His Majesty. Contradicts the report of the Bishop living in great pomp; affecting to exhibit the pomp and pageantry of the Church of Rome and of erecting a magnificent palace. The only procession is that of the Fête Dieu, which has always been observed, and his magnificent building is new roofing the Bishop's house, of which the walls were standing; it is now let by him for public offices. He himself lives in a small apartment of the Seminary, eating at the commmon table. The subject of religion is a delicate one. To explain many matters and settle private affairs, he wishes to return to Europe for a time; by being on the spot he might clear up many difficulties. Page 34

March 20, London. John C. Roberts to Pownall. Asks that a formal notification be sent to Carleton, that Allsopp has been appointed his deputy as Secretary, &c. 5

March 24, Whitehall. Hillsborough to Carleton. J. C. Roberts has been appointed Secretary, &c., of the Council of Quebec, and such deputies as he shall appoint are to be admitted. 7

April 13, Quebec. Carleton to Hillsborough. Transmits copy of Minutes of Council. 40

Minutes, 5th January, 1769. Order-in-Council respecting the boundaries between Quebec and New York entered. Petitions, Committees appointed, &c. 41

The same, 17th January. Petitions and reports. The report on the accounts, with tables, entered in full. 46

The same, 24th January. Instructions from the Treasury entered on the minutes, and petitions received. 55

The same, 28th January. Boundaries of La Prairie, Sault St. Louis, René Cartier and the unconceded lands, to be fixed. Other surveys ordered. 57

The same, 14th February. Commission appointing Carleton Vice Admiral entered. Petitions. 59

May 9, Quebec. Carleton to Hillsborough. Sends again the plan of a citadel for Quebec, drawn up in 1767. The estimates now accompany the plan. Opinion of leading Canadians that Quebec could have been taken in May, 1759, had Admiral Durell pushed up, and that the surrender after the battle of the Plains of Abraham was due to the want of fortifications; the remains of Murray's troops in 1760 being only able to hold out, because de Lery's army had neither artillery nor ammunition. The necessity of fortifying. 63

May 10, Quebec. The same to the same. Proposals for a new road in place of that by Lake Champlain to New York, to be completed by means of a lottery. For want of information has declined to sanction the proposal. The lottery may be useful for government purposes, as it will be impossible to raise a revenue by the old French duties as proposed, for reasons given. 65.

May 13, Whitehall. Hillsborough to Carleton. The King cannot but approve of what he has done respecting de Léry. He is to assure the new subjects that they will enjoy all the privileges and advantages to which natural born subjects are entitled, so far as the laws of the Kingdom will permit it. Hopes soon to inform him that these matters are settled, so as to give lasting security and satisfaction. The question of fortifications is before a special committee. 12

June 7, Whitehall. The same to the same. Fire regulations approved of. 32

June 8, Whitehall. Pownall to Bradshaw. To request the Treasury to allow Mills, Receiver General, to remain some time here, as he can give useful information to the Lords of Trade respecting Quebec. 33

1769.
July 8, Quebec. Carleton to Hillsborough. Transmitting papers relating to claim made in a memorial from the people of Detroit, respecting the Isle aux Cochons (Hog Island), which they represent was granted as a common. The grant to McDougall referred. Page 73

Letter (in French), signed by Jacques Campeau, B. Chapoton and Pierre Réaume, enclosing the memorial, numerously signed, all the signatures being given. 75–78

July 15, Whitehall. Hillsborough to Carleton. His letter with other information has been laid before the Lords of Trade, who have made a report on the state of Quebec. Until the report has been considered and decided on by the Privy Council, leave of absence cannot be granted. The propriety of admitting some of the new subjects to the Council. His letter relating to the citadel shall be laid before the Committee of Council. The opening of the new road deserves consideration. 67

July 17, Whitehall. The same to the Marquis of Granby. Sends letter from Carleton respecting fortifications for consideration. 69

July 17, Quebec. Carleton to Hillsborough. Arrival of an English Jesuit, Hunter, stating he had been recommended for the Illinois, but a priest has been sent from the Seminary there last summer. Hunter not allowed to remain, in accordance with instructions to Murray. Is told that the Jesuits propose to get a petition prepared for leave to continue their order in the Province, but as yet the matter is in no forwardness. 70

July 19, Quebec. The same to the same. Sends copy of minutes of Council. 81

Minutes, 5th April, 1769. Petition from British and Canadian merchants for new regulations for the trade of the upper country. From merchants in Quebec for a road to Fort Halifax through New Hampshire. For a salary to Charles Dayley, in charge of the fire engine. 82

The same, 24th April. Order to prevent credit for liquor. Report in full of the committee on the memorial touching the Indian trade. The report is long and minute in details, suggesting certain changes in the regulations, &c. 83

The same, 2nd May. Petitions referred to committees. 100

The same, 17th May. Business referred to committees. 102

The same, 22nd May. Lease of King's wharf sent to lessee for perusal: other business referred to committees. 102

The same, 30th May. Ordinances approved of; other business referred to committees to report. 104

July 20, Quebec. Carleton to Hillsborough, with ordinances. 108

August 2, Quebec. The same to the same. Although the Jesuits cannot admit that the person who so notoriously quitted their order has had any right to a pension or annuity, they shall submit to do what His Majesty may order, but they are far short of what was represented, and Roubaud's demands are so unreasonable that they could not comply with them without distressing themselves. He (Carleton) can certify to the truth of their statements. 109

Statement by M. de Glapion, Superior of the Jesuits, on the claims of Roubaud, his conduct, &c. 111

August 6, Quebec. Carleton to Hillsborough. Sends three names, those of John Gray, Jacob Jordan and Francis Levesque, to fill the vacancy in the Council caused by the death of Francis Mounier. Again urges the appointment of some of the Canadian gentry. 113

August 7, Quebec. The same to the same. Hunter (the Jesuit already referred to) is embarking for Britain with a petition from the Bishop and clergy for the continuance of the Jesuits, for the education of youth and for missions among the Indians. For the latter they received 14,000 livres a year from the King of France, which ceased at the Conquest, and at the

1769.

dissolution of the order in France, they lost an estate of 10,000 livres a year. A petition to much the same effect has been presented by the Recollets, but he had not forwarded it, knowing that His Majesty had taken a resolution respecting the regular clergy. A petition has also been presented respecting the ancient laws, but as the King intends to grant what the petition asks for, he thinks it better the benefit should come from the King's care of their interest rather than appear to be due to solicitation. Page 115

The petition of the Bishop of Quebec, signed also by the clergy. 117

October 3, Quebec. Carleton to Hillsborough. Has granted twelve months leave of absence to Maseres. His dislike of the climate, and wish to go back to London for preferment; his antipathy to the Canadians, &c. Had hoped that experience would wear away his prejudices, as he would have been useful. Has been disappointed in this hope, but would not let him leave till the report on the laws was completed. Henry Kneller appointed in his room. 124

October 11, Quebec. The same to the same. Sends copy of minutes of Council. 131

Minutes, 10th July. Regulations proposed for the Indian trade by the Assembly of New York received. Committees on accounts, &c., appointed. 132

The same, 12th July. Letters sent to the magistrates of Montreal, in relation to complaints of their administration of justice. 133

The same, 10th August. Receiver General's accounts produced and sworn to. 141

The same, 11th August. The report of the committee of accounts approved of, except a portion marked, and deduction ordered. The report follows. 142

The same, 18th August. Committee appointed to consider the administration of justice. Memorials presented. 145

The same, 1st September. Formal business. 146

The same, 14th September. Report of the committee on the administration of justice. (The report is given in full.) Petition from Denys Vitré for the restoration of the ground on which the barracks stand, it having been taken from him by the intendant under the French government, without compensation. The sum of £100 ordered. 147

October 25, Quebec. Carleton to Hillsborough. Reports the statements made to the Canadians by Vialars, a London merchant, that the King was ready to grant whatever they asked; that the coffers of France were full and those of Britain exhausted, &c. His (Carleton's) reasons for discouraging petitions. 161

November 4, Whitehall. Hillsborough to Carleton. The subject of the Jesuits, as of every other establishment in the Colony, is still under consideration. His conduct with regard to Hunter approved of; the petition he brings requires very serious consideration. The reasons for the Jesuits not making the allowance to Roubaud shall be laid before the King. The reports about the conduct and spirit of the Indians, caused by reports that they will soon see the country in possession of France, requires that the conduct of the new subjects trading with them be strictly watched. 121

November 13, Quebec. Carleton to Hillsborough. Sends report on the state of manufactures, with remarks. 166

Report follows. 168

December 1, Whitehall. Hillsborough to Carleton (secret and confidential). Sends, confidentially, a copy of the proposed report of the Lords of Council on the state of Quebec, for his careful consideration. 129

December 1, Whitehall. The same to the same. The Lords of the Council will come to no resolution on the report of the Lords of Trade, respecting the state of

1769. Quebec, until the arrival of Morgan with his report. He has, therefore, obtained the leave of absence asked for, as his advice will be useful, but the King trusts the leave will not be taken should the state of the Colony appear to require his presence. The favourable opinion held of Cramahé. Page 127

CORRESPONDENCE BETWEEN GOVERNOR CARLETON, LIEUTENANT GOVERNOR CRAMAHÉ, COL. IRVING AND LORD HILLSBOROUGH—1770.

Q. 7.

1769. November 22, Quebec. Carleton to Hillsborough. Application of Abbé Joncaire for leave to return to Canada. His suitableness for the purposes of the French, should they have designs against this country, makes it dangerous to grant his request. The Abbé complains that he holds the position of being suspected in France of being attached to British interests, and in Canada of being too much of a Frenchman. As there are only suspicions against him, he (Carleton) does not number this letter, so that such use may be made of it as seems expedient. Page 3

1770. January 18, Whitehall. Hillsborough to Carleton. Morgan has arrived and delivered the papers, which will pave the way for a speedy decision on the state of Quebec. Regrets the departure of Maseres; appointment of Kneller *pro tem*, re approved of. Remembers Vialars, and had a conversation with him on the state of Quebec, but he had no authority to speak in his (Hillsborough's) name. All communications to the King's subjects in Quebec are made officially and not through a private person. Sends the King's speech. Mr. Charles Yorke succeeds Lord Camden in office, and is to be called to the House of Lords.

[illegible] The same to the same. That an application for a passport by Abbé Joncaire will not meet with any encouragement. Death of Mr. Yorke the Great Seal put in commission. Lord North succeeds Lord Grafton as first commissioner at the Treasury Board.

[illegible] Carleton to Hillsborough. Transmits ordinance for regulating the courts of law. The character of those who were entitled to be justices of peace, those who prospered could not give the time and bankrupt traders [illegible] scheme to increase the business and their own emoluments [illegible] chiefly French soldiers, either disbanded or deserters [illegible] every little feud in the parishes, so that the people were ruined [illegible] as the fees swallowed up the proceeds of [illegible] his own experience of the effects on his last tour through the [illegible] powers of the justices and the [illegible]

[illegible] 1

[illegible] captain of militia, date [illegible] manner in which the law [illegible] 5

[illegible] received; will not take [illegible] country be necessary. [illegible] of Cramahé acting in [illegible] on him. 5

[illegible] and licenses for the [illegible] 6

[illegible] 63 to 7

[illegible] Council. 7

[illegible] 7

1770.

Minute, 1st February. Report of the committee on the ordinance for the administration of justice approved; report is entered in full. Petition for a refund of duty overcharged on rum. Page 75

The same, 14th February. Translation of the Ordinance read and approved. 78

Report on accounts and petitions, &c., received. The table of the accounts appended. 80

April 25, Quebec. Carleton to Hillsborough. The excitement among the old subjects over the ordinance amending the law for the administration of justice, as it affects their private circumstances as well as their influence. Deputation with a memorial against the ordinance; reports the considerations given verbally for its repeal and his answers; can see no ground for repealing any part of it. Gives instances of the injustice committed under the law as it stood before the ordinance was passed; and of the intolerable oppression from which the people suffered. 89

Memorial referred to follows. 95

May 29, Detroit. Lieut. George McDougall to Hillsborough, respecting the grant to him of Hog Island. 110

Memorial and accompanying documents. 112 to 127

June 12, Whitehall. Hillsborough to Carleton. Ordinance of 1st February (for regulating courts of law) approved of, as His Majesty wishes every just ground of complaint removed. 61

July 4, Quebec. Carleton to Hillsborough. Sends minutes of Council. 128

Minutes, 18th April. Petitions for land, &c., received. Report on Van Felsen's petition for land at Bonaventure, on the Bay of Chaleurs (report received, p. 129; entered in full, p. 132). 129

The same, 23rd May. The state oaths, declaration against trans-substantiation, and oath of office administered to Cramahé and Marteilhe. Report on the claim of John Frank, chimney inspector, recommending payment (report on the claim at p. 136). Other business laid over or referred to committees. 134

The same, 30th May. Report on the claim of merchants for the refund of duties overcharged on rum; the report is in full. 141

The same, 26th June. Petitions laid on the table. 148

July 5, Quebec. Carleton to Hillsborough. Transmits correspondence respecting the relation of the collector and officers of Customs, and of the right to increase fees without reference to the Governor. 152

The correspondence follows, including letters to and from the Commissioners of Customs at Boston. 155 to 189

July 6, Whitehall. Hillsborough to Carleton. The regulations respecting the Indian trade, and the ordinance establishing the Courts of Judicature are approved of. 109

July 8, Quebec. Dr. Mabane to Hillsborough. Respecting his dismissal from the Council. The presence of Carleton in London will give an opportunity of ascertaining the reason; if any complaints are not cleared up by the memorial, he may, on Carleton's statements, have an opportunity of justifying himself. The terms of his appointment. 240

July 29, Montreal. Pierre du Calvet to Carleton (in French). That he has been endeavouring in vain to induce improvements in the administration of justice among his fellow magistrates, and had complained to the Governor and Council, his only reward being the issue of an ordinance which insulted every Justice of the Peace, himself included. Prays that his (Carleton's) decision may be delayed till memorials can be presented on the subject. All the ordinances issued by the Council seem to proceed from arbitrary power, and to be dictated by intriguers, &c. 190

1770.
July 29, Quebec. Memorial (in French) of the French inhabitants of Quebec, Montreal and Three Rivers, to Carleton, praying him that after his arrival in London he would represent favourably to the King their desire for the re-establishment of the college, for the furtherance of education, &c. Page 371

August 14, Quebec. Cramahé to Hillsborough. That on Carleton being out of the limits of the Province he had assembled the Council and taken the oaths of office, &c. 192

Proclamation of his having assumed office as Lieut. Governor. 194

October 1, Chatham Barrack. P. Emilius Irving to Hillsborough. Encloses memorial trusting that an investigation into the cause of his dismissal may be made, now that Carleton is returned, as he has been wantonly injured and his reputation attacked. 198

The memorial follows with accompanying documents. 200 to 239

October 3, Whitehall. Hillsborough to Cramahé. The King approves of his proclamation and other necessary steps in consequence of the departure of Carleton. 197

October 3, Whitehall. The same to Lieut. McDougall. As he has not accepted the suggestion that a settlement might be come to between him and the people of Detroit respecting Hog Island, the decision must be left to the King. 196

October 6, Montreal. Chartier de Lotbinière to Hillsborough (in French). Reminding him of the promise made to him in London in 1764, that he would be immediately put in possession of the two seigniories of Alainville and Hoquart, on Lake Champlain. He is still in the same state of uncertainty as then, and reduced to distress; asks for relief. 264

October 9, Quebec. Cramahé to Carleton. Transmits to him, by desire of the Canadians a petition that the laws and customs which governed their properties be restored. They wish him (Carleton) to present the petition on their behalf. 266

October 10, Quebec. The same to Hillsborough. Sends minutes of Council. 249

Minutes, 16th July. Imperial act for discontinuing certain drawbacks read and entered, and to be translated and published in the *Gazette*. A petition from Isaac Werden, coroner, dismissed. 250

The same, 30th July. Reports on claim for refund of rum duties approved (report at p. 255). Receiver General's accounts received (report at p. 257). Petitions presented. 252

The same, 9th August. Oaths of office administered on Cramahé assuming the command of the Province, with proclamation and other formalities. 258

The same, 8th September. List of bailiffs read. Reward offered for the discovery of incendiaries in Montreal. 261

October 16, Whitehall. Pownall to Clerk of the Council in waiting. That by Lord Hillsborough's orders he has transferred papers sent by the Governor of Quebec pursuant to Order in Council of 28th August, 1767, and stating that the Governor has lately arrived in London. 242

Inventory of the papers referred to, which were transferred to the Council office. 246

October 19, Whitehall. Hillsborough to Col. Irving. The King having approved of his removal from the Council in 1766, it would neither be proper nor regular for him (Hillsborough) to interfere in a matter already decided on. 247

October 28, Montreal. Du Calvet to Hillsborough (in French). Calls attention to a petition for an ensigncy to his nephew, who had on account of his religion come to this country like him (du Calvet) to be under the best of Kings and protection of the true religion, and it is on account of his (du Calvet's) services that he asks for a pension. When in London, in 1767, Lord Shelburne presented his petition to Lord Chatham, but business compel-

1770.

led him to return to Canada before anything was settled. Sends a memorial on the administration of justice, which he prays may be examined. Page 268

Memorial (in French) stating his employment as commissary in the French service in Acadia in 1758, where he was able to assist a large number of British soldiers, prisoners, and was able to confer the same benefit on the taking of Quebec. Details of his birth, misfortunes, &c. Asks for a pension on account of his services, of his attachment to the Protestant religion, for which he has lost everything, and his ardent wishes for the glory of His Majesty's reign. 271

Observations on the ordinance respecting the administration of justice. 274

A long memorial (in French) beginning with a statement of his services in Acadia, first by saving the lives of British soldiers, prisoners; and then by reconciling the Acadians to the British; his appointment by Murray to the magistracy. The memorial is largely taken up with an account of his own great services and with acrimonious criticisms on his brother magistrates, and includes correspondence with the Governor and Council, lists of magistrates with their localities, his controversial correspondence with the magistrates, &c. 279 to 349

October 31, St. Francis. Address (in French) of the Abenaki Indians to the King. 356

November 2, Quebec. Cramahé to Hillsborough. Sends report of the manufactures in the Province for 1770. Everything quiet here and in the upper country. 350

The report includes the manufacture of linen, woollen, earthenware, leather, bar and wrought iron, potash and rum. 352

December 11, Whitehall. Hillsborough to Cramahé. Minutes received. The affairs of Quebec under consideration. The decision will, he trusts, remove the difficulties and obstructions complained of. 267

No date. Address of the British freeholders of Quebec to the King, praying that a General Assembly be called. 359

Memorial (in French) from the Canadians of the Province of Quebec, for a restoration of their laws and customs, pledging their fidelity. 363

Address (in French) of the French inhabitants of Quebec to Carleton. For the re-establishment of the college, under the direction of the same order as before, with liberty to receive either English, Canadians or learned persons from other nations, and of the same order, so that they may continue their old functions of teaching and of instructing the Indians. 367

Correspondence between Lord Hillsborough and Lieutenant-Governor Cramahé—1771 1772.

Q. 8.

1770.

October 10, Quebec. Thomas Ainslie to John Pownall. Calling attention to his claim against Richard Murray, vendue master. Page 2

A memorial dated in London, the 21st March, 1771, by Ainslie, follows. 5

1771.

January 2, Whitehall. Hillsborough to Cramahé. Report received. Proposed legislation to grant powers to the Governor and Council of Quebec for a limited time. 1

January 3, Quebec. Cramahé to Hillsborough. Sends minutes. Proposal by Mr. Sleeper for a road from the Province of New York to that of Quebec; part of the road, from the County of Gloucester, N. Y. to Lake Champlain, has been begun by means of a private subscription. The trading people and

1771.

the postmaster of the Province think it would be beneficial. Sleeper's petition, a sketch of the road and of Lake Champlain enclosed. Page

Petition, plan of Lake Champlain and of road. 15–17*a*-17

Minutes of Council, 10th November, 1770. Refusing to grant publi money for the road, but the members, regarding the road as of benefit would individually give a subscription. 1

January 31, Quebec. Cramahé to Hillsborough, (secret). Will, as desired, take every measur to defend the Province. The Canadians quiet and there is no reason t apprehend any stir while Spain only is concerned. They have th greatest hopes of being relieved by His Majesty from certain incon veniencies which will be explained by Carleton. 1

April 12, Whitehall. Pownall to Clerk of the Council. Transmitting addresses and petition from the inhabitants of Quebec.

April 13, Quebec. Cramahé to Hillsborough. Sends minutes of Council. 2

Minutes, 5th January. Committee on accounts appointed. Claim referred to committee. 3

The same, 12th January. Certain small claims allowed, &c. 3

The same, 29th January. Receiver General's accounts produced Grant made of £100 to the Union Fire Society of Montreal, to enable i to complete the public reservoir and to make conduits and basins for th reception of water in different streets, in order to prevent and extinguis fires. Report of the public accounts committee with details. 3

The same, 14th February. Grant of a piece of land in Montreal for th erection of a store-house for gunpowder belonging to merchants. 4

April 29, Quebec. Cramahé to Hillsborough. Complaints as to violence to the Indians com from the south; there are no such complaints here. Proposed meeting o Indian commissioners in New York, to consider Indian regulations The officers of the regiments here have gone south on recruiting service. 4

April 30, Quebec. The same to the same. The prospect of government being settled o a firm basis gives satisfaction. Contradicts the report in newspaper that the Canadians in prospect of war had been behaving with insolence Discovery of a gang of robbers; three soldiers hanged, who had forme part of the gang. The assistance given by the military authorities an the cordial relations between them and the civil authorities. 4

May 4, Whitehall. Hillsborough to Cramahé. To give every encouragement to buil roads between the Provinces by private subscription, but cannot recom mend the expenditure of public money on that object. The difficult of coming to a decision respecting the settlement of the government o Quebec; hopes that a satisfactory conclusion will soon be arrived at. 2

June 28, Treasury. John Robinson to Pownall. Transmits Treasury minute on Carleton' memorial. 2

The minute recites the King's pleasure that the military governmen of the Province of Quebec should be re-annexed to the civil so soon a there is a vacancy in the former, and that until then the governor shoul receive a salary of £2,000 a year, to be reduced to £1,500 when the mili tary government with its emoluments be added to the civil. 2

July 4, Whitehall. Hillsborough to Cramahé. His commission as Lieut. Governor ha been handed to Carleton. Steps being taken for settling the governmen of Quebec. His Majesty's gracious intentions towards his faithfu subjects in Quebec. 2

July 5, Whitehall. The same to the same. Bentzell appointed inspector of lands an surveyor of white pine in Quebec and that part of New York whic borders on Lake Champlain. 2

July 6, Quebec. Cramahé to Hillsborough. Circular received. The event announce [probably peace with Spain] has enabled the old and new subjects t

1771.

make a greater export of corn than has been done since the first settlement of the country. Page 49

July 9, Quebec. Cramahé to Hillsborough. Sends minutes. Incendiary fires in the town of Quebec; measures to detect the incendiaries. 50

July 10, Quebec. The same to Pownall. The circular describing the process of making tar and pitch in Sweden shall be made as public as possible. 52

July 19, Whitehall. Hillsborough to Cramahé. The King does not approve of holding congresses on Indian affairs; all that he (Cramahé) can do is to suggest what regulations might be adopted. His Majesty has every confidence in the fidelity of his new subjects. The execution of three soldiers for robbery approved of. 47

July 31, Quebec. Cramahé to Hillsborough. By the death of Sleeper, the proposal he made for a road seems to be dropped, but it could not have been brought to perfection by a private subscription; shall, however, encourage any fresh proposal. The Canadians eagerly wish for a settlement of the government. The proposed meeting of commisssioners on Indian affairs. 53

October 8, Quebec. The same to the same. Asks that his thanks for being appointed Lieutenant Governor be laid before the King. Repeats the statement of the anxiety of the Canadians about the settled basis of government, and their confidence in the King's goodness. Sends copy of the proclamation that he is appointed Lieutenant Governor. 55

Proclamation. 71

October 8, Quebec. Cramahé to Hillsborough. Bentzell has presented his commission; every assistance shall be given him. 59

October 9, Quebec. The same to the same, Sends minutes of Council. 60

Minutes 12th July. Receiver General's accounts presented and referred. Letters from Lord Dunmore respecting the boundary between Quebec and New York. Commissioners appointed. Report on public accounts with details. 61

The same, 26th September. Cramahé's commission read. Oaths to councillors. Dunmore's letters respecting a meeting on Indian affairs. Committee appointed. Petitions received, &c. 68

The same, 28th September. Bailiffs appointed. Petitions for lands referred to committee. 72

The same, 30th September. Address to Cramahé by the Council, and reply. 74

October 9, Quebec. Cramahé to Pownall. Acts of Parliament, &c., received. 78

October 31, Quebec. The same to Hillsborough. The disapprobation of the meeting of Indian Commissioners in congress at New York arrived in time to prevent him sending commissioners there. Remarks on the differences in carrying on the Indian trade from New York and from Canada. Suckling, Advocate General, has left without leave; Kneller appointed. 82

November 18, Quebec. The same to the same. Sends report of manufactures. Sends memorial from the manufacturers of and dealers in staves, with remarks. 84

Report on the state of manufactures for 1771. 87

Memorial respecting oak staves. 91

December 4, Whitehall. Hillsborough to Cramahé. Dispatches received. His conduct relative to discovering incendiaries in Quebec and to the proposal of New York for extending the boundary survey approved of. His Majesty shall be glad to hear the result of the meeting of Indian Commissioners, but cannot approve of them meeting in congress. The sentiments of the new subjects are acceptable to His Majesty; the delay in settling the government of Quebec is unavoidable. Is gratified at the tone of the addresses to him (Cramahé) on being appointed to the Lieutenant Governorship. Recovery of the Duke of Gloucester from his illness at Leghorn. 79

1771.
December 26, Montreal. Deschambault to Carleton (in French). Calling attention to the los by fire of a house belonging to him, which had been rented as a barrack Should employment be given without respect to the religion of thos employed, asks that he be remembered. Page 9
Copy of the lease (in French) follows. 10

1772.
Memorials (in French) from Joseph Fleury Deschambault. 104-10

January 11, Whitehall. Hillsborough to Cramahé. Is pleased that no commissioners were sent to New York on Indian affairs. Letter, &c., respecting oak stave received. Sends additional instructions. 9

January 15, Quebec. Cramahé to Pownall. Has received his letter. 12

January 15, Quebec. The same to Hillsborough. Sends copy of the minutes of Council. 11
Minutes 31st December, 1771. Committee on public accounts appointed Seven petitions for land referred to a committee.
1. Hugh Finlay, for lands at Bonaventure.
2. John Thomson, for lands at the same place.
3. Anderson and Smith, for lands at Bonaventure, Paspebiac an Cascapediac.
4. Zachary Macaulay and Charles Gordon, for lands on the Island o Bonaventure.
5. Charles Gordon, for lands at Pointe Percée.
6. Zachary Macaulay, for lands at Point Percée
7. The same for lands on Fox River.
The last is on the ground of his having served as a midshipman a the reduction of Louisbourg and Quebec. 11

April 2, Quebec. Cramahé to Hillsborough. Sends minutes of Council. 12
Minutes, 13th January. Collins, surveyor, ordered to attend to ru the boundary line between New York and Quebec. Memorial pre sented by the Clerk of the Peace for a salary. Receiver General's ac counts produced. Report on proposals by New York for regulating th Indian trade (report begins at p. 129); report on public accounts (th report begins at p. 135 and gives the tables.) 12

April 9, Whitehall. Hillsborough to Cramahé (separate and secret.) Transmits copy o a letter from M. Rouville, in Canada, to the Marquis d'Ossun, the Frenc Ambassador at Madrid. The veracity of the informant is to be doubted but owing to the conduct at present of the Court of France, the conduc of the new subjects must be closely watched, the nature and extent o the correspondence with France ascertained, and the channel throug which it is carried on. This is more particularly necessary with th Rouville family, as the son is in the French service, and is in Londo taking his passage to Canada, but who has said nothing to confirm sus picion. A man named Deprocas has obtained a pass-port to go t Quebec; he was a pilot for the St. Lawrence before the Conquest o Canada, and gives a very contradictory account of himself. These an all others coming from France are to be closely watched. 11
Copy of the letter follows, dated Montreal, 3rd May, 1771. 11

April 9, Whitehall. Hillsborough to Cramahé, introducing M. Rouville. 11

April 18, Whitehall. The same to the same. Is gratified at the number of applications fo land. 12

May 4, Quebec. Cramahé to Hillsborough. The attempt to discover the incendiarie in Quebec; the winter has, however, passed without alarm. The tha has prevented the completion of the boundary survey between Quebe and New York; it will be carried to completion during the summe Congratulations on the recovery of the Duke of Gloucester. 14

May 5, Quebec. The same to the same. Satisfaction of the new subjects with th additional instructions, and of the old subjects with the method of gran

1772.

ing lands. When the Surveyor General has finished running the boundary line, steps shall be taken towards granting lands. Page 142

May 13, Quebec. Cramahé to Hillsborough. News of the death of the Princess Dowager of Wales received. 143

Same date to Pownall, that orders respecting mourning had been received. 144

July 1, Whitehall. Hillsborough to Cramahé. Avoids expressing an opinion about the proposals regarding the Indian trade made by New York; whilst they differ so widely from those of Quebec, it is vain to expect concurrence in any general plan. 139

July 2, Quebec. Cramahé to Hillsborough. Had not sent the names of the persons he would propose to fill the vacancy in the Council caused by the death of Walter Murray, for reasons given. Can only recommend two, Francis Levesque and John Collins. The scarcity of fit persons for the office. 155

July 3, Quebec. The same to the same. Reports the arrival of a French schooner from the islands of St. Pierre and Miquelon, with a Madame Henry, her children and some other passengers. The irregularity of the transaction, but under the circumstances he had allowed the master of the vessel to purchase flour, etc.; but wrote to the Governor of the islands to prevent such irregularities in future. 157

July 8, Quebec. The same to W. Knox. That he has received additional instructions. 165

July 25, Quebec. The same to Hillsborough. Separate and secret letter received. Sees no reason to suspect young Rouville of any improper design. Thinks the father too sensible to have signed such a letter as that of which the copy was sent. Far from complaining of slavery, the Canadian noblesse allege that from the present freedom, the middling and lower classes are losing respect for their superiors. The fact of the letter being alleged to be sent to Madrid strengthens his disbelief in its authenticity. The uncertainty of the laws and the want of decisions in a language they can understand are the chief causes of complaint. The French clergy, who regard the Canadian clergy with contempt, are no doubt in favour of a change, and may lead away the *habitants*. The Canadian clergy are strongly interested to prevent a change; permission to consecrate a coadjutor helps this. Note of arrivals trom France this year. Does not believe the new subjects have any improper plans; if there are any they must come from the other side, but he will keep careful watch. 160

August 7, Whitehall. Hillsborough to Cramahé. Is gratified that the additional instructions have given satisfaction. 145

August 17, London. Pierre Roubaud to Dartmouth. Memorial (in French) beginning "L'innocence opprimée porte au tribunal de votre Excellence le récit de ses malheurs. La vérité toute simple va parler par sa voix; votre humanité, milord, votre justice, votre religion, votre patriotisme jugerent sa cause." The memorial sets forth his services during the French occupation and since that time, and demands a share of the Jesuit Estates. He is engaged in writing a work which will be found of service. 146

August 17, Quebec. Cramahé to Hillsborough. Calls attention to the inconveniences arising from the state of the gold coin, the high price of silver and the want of small change, and the agreement made by the merchants of Quebec and Montreal. 171

August 18, Quebec. The same to the same. Transmits minutes. The effect of the new instructions respecting the grants of land. Leave of absence to Hugh Finlay, Postmaster. 175

Minutes, 30th June. Instructions as to granting lands referred to a committee. (Instructions begin at p. 183). Repairs to gaol. Petitions for lands. Committee on public accounts appointed. 178

1772.
August 19. Cramahé to Hillsborough. Trial and execution of Michael Dué for murder at Detroit. Fire at the Seminary and Jesuits' College, Quebe The good services of the troops prevented serious destruction of pr perty. Page 18
Memorial from Jacques Campeau, stating his services and praying fo a grant of land. 18

September 2, Whitehall. Dartmouth to Cramahé. The question of new councillors referred t the Lords of Trade. The illegality of vessels coming from foreig colonies; his conduct is, however, approved of in respect to the schoone from Pierre and Miquelon. The permission to consecrate a coadjut to the person styling himself the Bishop of Quebec, in accordance wit powers he held for that purpose, must mean that he received these fro some foreign ecclesiastical authority, as no authority was ever given b His Majesty for the exercise in the Colony of any powers of episcopac in matters relative to the religion of the Church of Rome. The matte must be laid before the King. 16

September 19, Quebec. Cramahé to Hillsborough. Transmits ordinance altering the time which the Michaelmas term is to begin. Francis Levesque appointed t the Council, in room of Finlay, absent on leave. 19
Ordinance follows. 19

September 27, Whitehall. Dartmouth to Cramahé. To press the prosecution against Ramsa sent by Sir William Johnson to Quebec, for trial for the brutual murde of Indians, as there is a danger from the prejudices against India that he may be acquitted. 16

October 9, Quebec. Cramahé to Hillsborough. Minutes enclosed. Has given M Levesque leave of absence. 20
Minutes, 29th July. Petitions for land, &c., referred to a committe Report of the Committee on Public Accounts (report with tables given 20

The same, 24th August. Francis Levesque sworn in. Petitions f land, &c., referred to a committee. Ordinance ordered to be translate into French and published. 21

October 10, Quebec. Cramahé to Hillsborough. Reports that Mr. Dufy, of Montreal, a capta of militia there before the Conquest, had received official intimatio from France that he has been named to the order of St. Loui Mr. Dufy's indifference to the honour; remarks on the designs France. 21

October 30, Quebec. The same to the same. Sends report of manufactures. The growt of hemp and flax would be greatly promoted were encouragement give The increase in the growth of wheat: in 1771 the export was 188,0 bushels, this year about 150,000, and the export next year will be fro 200,000 to 300,000 bushels. Leave of absence to Mr. Allsopp. 2
Report follows. 2

November 4, Whitehall. Dartmouth to Cramahé. Respecting the coin in circulation. T disorders of those parts of America outside of civil government; t good effect of the punishment that has been inflicted. Desires, howeve to know with precision the grounds on which the Superior Court Quebec took cognizance of the case of Dué, by what authority jurisdictio is claimed over the inhabitants of Detroit, and who appoints th magistrates. To investigate the cause of the fires at Quebec. M Campeau's request reasonable, and shall not be forgotten when arrang ments are made for the further settlement at Detroit. 2

December 9, Whitehall. The same to the same. Minutes received. It would have been bett had Mr. Dufit (Dufy in previous letter) consulted him (Cramahé) befo answering the letter respecting the order of St. Louis. Believes th the French Ministry will disavow the offer. 2

1772.
December 9, Whitehall. Dartmouth te Cramahe. The question of the appointment of a coadjutor and of all matters relating to the toleration of the Church of Rome in Quebec, is now before the Privy Council with other arrangements. Page 220

CORRESPONDENCE BETWEEN LIEUT.-GOV. CRAMAHÉ AND THE ENGLISH MINISTRY—1773.

Q. 9.

1772.
October 15, Montreal. Joseph Fleury de Chambault (*sic*) to Dartmouth (in French). Memorial stating his claims against the Court of France on account of a lease of certain posts and for his outlay for grain and flour for the subsistence of the French troops during the war of 1759. Sends the memorial and other documents by the hands of Captain Dunbar of the 44th Regiment, and prays that His Lordship would bring the subject before the Court of France for a settlement. Page 16

Sketch (in French) of the memorials presented for six years to the French Ministry, showing the sums due him. 21

Copy of the memorial (in French) which he presented to the Duke de Choiseul in 1765. 28

November 11, Quebec. Cramahé to Dartmouth. That in consequence of instructions to Carleton, duplicates are not now sent to the Lords of Trade. The few members of the Council present induced him to recommend the appointment of Levesque. Is grateful for the King's approbation of his conduct respecting the French schooner. Reports the arrival of an Irish Franciscan friar from the Island of St. John's; has refused him employment and paid his passage to Europe. Hopes that the question of the government of Quebec may be speedily settled. 4

November 11, Quebec. The same to the same. Congratulates him (Dartmouth) on being appointed Colonial Secretary. 2

1773.
January 6, Whitehall. Dartmouth to Cramahé. Transmits papers relative to a claim by the widow and heir of M. de St. Ange against William Grant of Quebec. 1

February 3, Whitehall. The same to the same. His conduct respecting the Franciscan friar highly approved of. 7

March 3, Whitehall. The same to the same. Encloses a copy of a petition from Robin, Pipon & Co., stating their losses and praying for a grant of Paspebiac Bank in the Bay of Chaleurs, and of 1,000 acres of land adjoining, for the prosecution of the fisheries. There is no objection to making the grant. 12

The petition precedes the letter. 8

February 10, Quebec. Cramahé to Dartmouth. In consequence of the absence of several of the Councillors, has sworn in John Collins and Edward Harrison. 13

April 10, Whitehall. Dartmouth to Cramahé. The appointment to the Council (till the King's pleasure be known) of John Collins and Edward Harrison is approved of. Leave of absence granted to Mr. Hay (Hey, Chief Justice.) 15

June 22, Quebec. Cramahé to Dartmouth. Transmits minutes of Council; no meeting since March for want of a sufficient number to form a Board. Respecting Ramsay, accused of the murder of an Indian near Niagara, the trial will be in September. Sketch of Ramsay's career. Dubé executed for the murder of a trader at Detroit, to whom he was clerk, was tried at Quebec, in accordance with a clause in the Mutiny Act (6 George III). Dufy answered the letter respecting the order of St. Louis offered to him in ignorance of the niceties to be observed on such occasions, not

1773.

out of disrespect to government. Is surprised at the complaints of the widow St. Ange; explains the cause of delay; he has tried to get both parties to make an amicable settlement. Will bring Robin, Pipon & Co.'s petition before the Council; there are many applications for land of the same nature. Found on his late tour the people everywhere thriving and improving. The Indians at Sault St. Louis and Lake of Two Mountains complain about unsettled boundaries and about the rum trade. Page 34

Minutes, 29th January. John Collins and Edward Harrison sworn in, and a committee appointed to examine the accounts. 40

The same, 8th February. Committee to consider the proposal from Governor Tryon, New York, to complete the boundary line. Routine. Report on public accounts, with tables (report begins at p. 43). 41

The same, 22nd February. Petitions. Report on the boundary line with New York. 46

June 22, Quebec. Cramahé to Dartmouth. Sincerely wishes that the arrangements for the government of the Province may be speedily settled. Believes that the only sure way to gain the affections of the new subjects is to grant them all possible freedom in the exercise of their religion; as the old priests die out, the Province will supply a clergy entirely Canadian, but this necessitates some one holding episcopal functions, and the allowance of a co-adjutor will prevent the Bishop from being obliged to cross the seas for consecration. 51

June 20, Quebec. The same to the same. Transmits ordinance for preventing fires. The fire at the seminary of Quebec last year was not from design; most of the fires are the result of negligence or smoking. 53

Ordinance follows. 55

July 12, Quebec. Cramahé to Dartmouth. Sends minutes of Council. Chief Justice Hey is grateful for the leave of absence granted. An ordinance in preparation for the administration of justice in his absence. 70

Minutes, 22nd April. Report recommending an ordinance on the construction of chimneys to be prepared. 71

The same, 21st May. Ordinance presented. 75

The same, 22nd May. Ordinance approved of. 76

August 31, Whitehall. Dartmouth to John Campbell. That as an officer of the Indian Department, he is to govern himself by the orders of Sir William Johnson. 79

October 1, Quebec. Cramahé to Dartmouth. Sends draught of the boundary line between Quebec and New York, with remarks. Calls attention to certain considerations affecting the fur trade of the Province, which should be taken into account before the line is sanctioned. 91

Minutes of Council respecting the boundary, &c. (August 1773.) 96

The plan of the boundary. 106c

October 6, Quebec. Cramahé to Dartmouth. Transmits copy of ordinance, providing for the administration of justice. Acquittal for want of evidence, of Ramsay charged with the murder of an Indian; the bad effect; murder of Canadians by Senecas, of which Sir William Johnson will no doubt furnish full information. The Indians at Sault St. Louis have settled, by compromise, their differences with their neighbours about boundaries. The Indians of Lake of Two Mountain complain about the vendors of rum. The two villages are numerous, and as the tribes may be useful or mischievous they deserve the attention of Government. Owing to the failure of their corn crop, he has assisted them. 10

Ordinance for establishing a court of appeal, &c. 10

October 7, Quebec. Cramahé to Dartmouth. Minutes of Council sent. Will have the return asked for prepared. In consequence of the absence of several of the Councillors, Major Carden has been sworn in until the King's pleasure be known. 12

1773.

Minutes, 2nd July. Committees appointed on the gaols of Quebec and Montreal and on the public accounts. Page 130

The same, 24th July. Petitions from Montreal respecting sheds in the market place and for a ferry to Longueuil. Petitions for land (43 in number) referred to a committee. Report on public accounts (beginning at p. 142), with tables. 131

The same, 12th August. Committee appointed to consider ordinance on the administration of justice during the absence of Chief Justice Hey. Petition for regulation of market fees, Montreal. 146

The same, 20th and 23rd August. Ordinance considered. 147–148

The same, 1st September. Ordinance approved of. Petitons for lands, &c. 150

October 7, Quebec. Cramabé to Dartmouth. Dispatches received. 154

October 11, London. Memorial (in French) by Pierre Roubaud to the King, entitled "Memoire sur la dissolution des Jesuits par le Pape." 80

December 1, Whitehall. Dartmouth to Cramahé. Dispatches received. The affairs of Canada under consideration; will urge the justice of giving all possible satisfaction to the new subjects on the head of religion, on such a foundation that all foreign jurisdiction be abolished and that those professing the religion of the Church of Rome may find within the Colony a resource for everything essential to the free exercise of it in the true spirit of the Treaty. The limits of the Colony will be considered. The policy of the Proclamation of 1763 must be modified, to remove the restraint imposed on the Colony by the narrow limits prescribed in that Proclamation. Attention will be paid to the wishes of His Majesty's subjects in that respect. Ordinance respecting the administration of justice appears to be suitable. Laments the escape of Ramsay from punishment. Petitions from Indians presented by Mr. Baby. 157

December 1, Whitehall. The same to the same. Sends copy of a letter with the substance of a message from Canada to the Six Nations. As the purport of the message corresponds with the language in messages to the Indians sent by French and Spanish, it is desirable to ascertain by what channel they are sent. 161

Copy of letter referred to. 163

No date. *Endorsed.* "The new subjects of Quebec to the Earl of Dartmouth, enclosing their address to the King. Received 20th November, 1773. N. B.—The address accompanying this was (with several others) sent to Lord North at the time the Quebec business was before the House of Commons, *anno* 1774, but His Lordship has not returned any of them." 156

Correspondence between Lt.-Gov. Cramahé and Lord Dartmouth. 1774.

Q. 10.

1773. December 13, Quebec. Cramahé to Dartmouth. Sends copy of petition from some of the old subjects and his answer. A Mr. McCord, of Quebec is at the head of the movement; he has been trying to get the Canadians to join, but they have declined. Of those signing not above five are feeholders, the property of four being very inconsiderable; the number of those renting houses or farms is not above 30. His cautious answer. The Canadians are tractable, but if things are left in the present loose way, there is reason to apprehend that bad effects would result. A confirmation of their laws of property and rights of inheritance would be satisfactory. Page 22

1774.

Copy of petition. Page 26
Copy of the answer. 30

January 4, La Haye. Roubaud to Pownall (in French). Urging his claims. The great expense which he incurs living at the Hague, &c. 1
Copy of petition (in French) to the King enclosed in the preceding letter. 3

January 4, London. Francis Maseres to Dartmouth. Sends copy of letter to him and of petition from Quebec for a General Assembly of Freeholders. Had known nothing of it till he received the copy. Had advised Thomas Walker and Zachary Macaulay last Winter that a Legislative Council consisting only of Protestants, not removable by the Governor, but only by the King-in-Council, would be better for seven or eight years than an Assembly. Is almost well of the hurt he received in November, but cannot walk yet. Is ready, however, to wait on His Lordship should his services be required. 8
Copy of proceedings of the British inhabitants of Quebec in October and November, 1773, with documents. 11
The petition agreed on. 17
The letter to Maseres referred to in his lettter to Dartmouth. 20

January 13, Quebec. Cramahé to Dartmouth. Minutes of Council transmitted. The Indians, as Sir William Johnson writes, are ready to make atonement for the murder of the four Canadians. A petition to His Majesty for an Assembly is in course of preparation. 31
Minutes, 8th October, 1773. John Carden sworn in as a Councillor. Petition for the removal of a quay building in the Cul de Sac; the building ordered to be discontinued and the materials removed. The same, 1st November. Oaths taken by the Lieutenant Governor and Councillors as members of the Court of Appeal. 35
The same, 6th December. Petitions left for consideration. 36
The same, 11th December. Answer agreed on to the petition for an Assembly. 38
The same, 31st December. Committee on accounts appointed. Petition for land referred to a Committee. 39

January 19, Quebec. Cramahé to Dartmouth. Transmits a petition to the King, handed to him by Mr. Williams two hours before the usual time of closing the post office, attributing the delay to the late arrival of the mail from Montreal. The petition, he hears, was signed in triplicate and copies with documents sent to Maseres. Remarks on the petitions and on the course he would follow. Sends also petition from Montreal, handed to him by Zachary Macaulay since the letter was written. 43
Petition from Quebec, with signatures, dated 31st December, 1773. 46
Montreal signatures, the petitions being identical and of the same date. 51
A memorial of same date from Quebec, but in different terms, addressed to Lord Dartmouth. 56
A similar memorial from Montreal, dated 15th January. 63

February 8, Quebec. Cramahé to Dartmouth. Respecting the petitions for an Assembly; the necessity of giving solidity to the Government. 53

May 1, 12, Quebec. Same to the same. Sends draught of survey by Collins, of the boundary line between New York and Quebec. Delay caused by the wet season. Governor Tryon has proposed to employ Collins in completing the line, but he is wanted for the surveys at Bay of Chaleurs and Gaspé. Hopes to be able to send by the first spring ship, a note of the arrangement of grants. 66
Plan of the boundary line. 67*a*

April 8, Whitehall. Dartmouth to Cramahé. His prudent answer to the petition for an Assembly approved of. The motives for the movement made by the promoters of the petition. 42

1774.
May 4, Whitehall. Dartmouth to Cramahé. The petition for an Assembly is in decent and respectful language. Has presented to the House of Commons a bill for the settlement of the Government of Quebec. Page 55

May 16, Quebec. Cramahé to Dartmouth. Minutes of Council transmitted. Owing to the absence of members, has been unable to call a meeting of Council lately. Has communicated to the Canadian subjects the favourable intentions of Government. 68

Minutes, 12th January. Report on public accounts with tables. 70

May 16, Quebec. Cramahé to Dartmouth. Additional instructions and also King's speech and address received. 74–75

June 30, Quebec. Same to the same. Can find no confirmation of the report of a message being delivered to the Six Nations on behalf of the French; the steps he has taken to ascertain. No doubt, in case of a rupture, the French would try to resume their old connection, and the Indians, who feel their own loss of consequence by the peace, would not be displeased to see a renewal of the contention, but nothing has yet happened to give reason to suspect a correspondence. He will be on the watch in case of any attempt against the Province. 76

July 15, Quebec. Same to the same. Minutes of Council transmitted. Some of the old subjects have taken up American ideas with respect to taxation, and it was this set them on to ask for an Assembly. Some of the committee acknowledge the irregularity of their course and the bad example they have shown. According to late reports, the Indians about Michillimakinak, Detroit and Niagara, as well as those settled near the Province, are quiet. Mr. St. Luc is to use his influence to keep them so. 79

Minutes, 30th May. Oath of allegiance ordered to be administered to 81 Acadians arrived at the Bay of Chaleurs from France, last from Jersey. Committee appointed on encroachments on the fortifications of Quebec complained of. Grant made of $100 in aid of a school in Montreal. 82

The same. 27th June. Petitions for land, &c. Report (beginning at page 87) on encroachments on fortifications. 85

August 31, London. Gilbert Barkly to Dartmouth. Sends petition respecting a most unprecedented injustice. The complaint in the petition is well founded, &c. Documents enclosed. 94

Decision of the Privy Council in the case of Eleazar Levy. 95

Petition of Eleazar Levy. 104

September 7, Whitehall. Dartmouth to Cramahé. Sends memorial from Joseph Godefroi Tonnancour, on which a report is desired. Hopes to send shortly a new commission and instructions, consequent on the recent act of Parliament. 93

September 12, Quebec. Major Dunbar to the same. Enclosing a memorial for land, stating his services. Asks for the sedentary fishing on Bras d'Or, on the coast of Labrador, formerly held by Mr. de Brouague, or, failing that, the Lieutenant Governorship of Detroit, or Michillimakinak; the former as the most desirable. 112

The memorial enters into details of his services, his requests, &c. 116

September 23, Quebec. Carleton to Dartmouth. Had arrived on the 18th, and found the Canadian subjects impressed with the strongest sense of the King's goodness towards them in the late bill, and their strong desire to show themselves not unworthy of the treatment they have met with. Had received a requisition from Gage for troops, owing to the disposition of the people in the Province under his command, and asking that the 10th and 52nd Regiments might be sent if they can be spared. Sends extract and his answer. 120

Extract of letter from Gage to Carleton, dated Boston, 4th September, 1774. 122

1774.

Carleton's answer to Gage, Quebec, 20th September. Page 123

December 10, Whitehall. Dartmouth to Carleton. Has received letter announcing his arrival, and the state of feeling of Canadians in the Province. Nothing being said of the feelings of the natural-born subjects, he is not at liberty to conclude that they hold the same opinion respecting the Quebec Act. Trusts, however, that when its provisions take effect, prejudices may be removed. His duty to conciliate both the new and the natural-born subjects. Hey elected to Parliament, but intends to return to Quebec as Chief Justice, even if he has to give up his seat. It would have been desirable to have sent the new commission, instructions, &c., by him but as that cannot be, proposes to send them by way of New York. 125

CORRESPONDENCE BETWEEN GOVERNOR CARLETON AND LORD DARTMOUTH, 1775.

Q. 11.

1774.

November 11, Quebec. Carleton to Dartmouth. Sends minutes of Council. Page 1

Minutes, 9th July. Petitions for lands referred to the committee. 2

The same, 20th July. Accounts of Receiver General produced and sworn to. Letter from Montreal, that an attempt was made to set the city on fire, and that a reward of $200 was offered for the discovery of the offenders. Proclamation ordered offering pardon and a reward for the discovery of the perpetrators of the crime. Report of committee on public accounts (begins at page 6) with statement. 4

The same, 10th August. Hugh Finlay and James Cuthbert took the oath as members of the Court of Appeal. Petitions for land referred to committee. Petitions for the co-heirs Brouague for the lands on Labrador. 8

November 11, Quebec. Carleton to Dartmouth. The gratitude of the King's Canadian subjects for the Acts in their favour passed last Session; the old subjects in Quebec have also sent loyal addresses, and would have acted up to them but for the course of their Montreal brethren. Whatever the cause meetings were held there, grievances talked of, and a committee of four named to prepare plans for redress. Walker, whose temper brought on him a cruel revenge, takes the lead. Meeting called at Quebec on Walker's arrival there, and a committee of seven appointed to act with the Montreal committee. Discreet people here and at Montreal decline to attend the meetings, of which several have been held, and petitions prepared. Uneasiness of the Canadians at these proceedings, and at the attempts to entrap the more ignorant of their people. Has assured the Canadians that these proceedings cannot affect the measures taken in their favour. Government cannot act too soon. People from Boston searched for letters from Gage, so that he cannot expect to hear soon. 11

November 11, Quebec. Same to the same. Sends addresses from His Majesty's Canadian subjects in Montreal and Quebec. 17

Address (in French) from Montreal. 19

A similar address from Quebec. 23

November 11, Quebec. Carleton to Dartmouth. Return of ordnance stores wanting, which he wishes to be sent out early in Spring. 26

Return follows. 27

November 12, Quebec. Carleton to Dartmouth. Transmits M. Deschambault's statement of claims against the French and British Governments, and recommends that he should receive a pension to compensate him for former losses. 33

Statements (two) to Lord Dartmouth by Deschambault respecting his claims. 34–38

1774.

Abstract of claims and letters from Vaudreuil, &c. Page 39 to 58

November 12, Quebec. Petition by the ancient subjects in Quebec to the King, against the changes caused by the Act of 1774. All the signatures are given. 98

November 18, Quebec. Carleton to Dartmouth. Sends address from the Canadian subjects at Three Rivers, and copy of a letter from Mr. Jeffries, of Boston, to Joseph Clark Minot. Other documents have been sent by a gentleman in New York to his brother here, and are in circulation. 103

Letter from Jeffries to Minot, dated Boston, 10th October, 1774. 105

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Petition (in French) from Three Rivers. 108

January 7, Whitehall. Dartmouth to Carleton. Sends his commission and instructions, which contain arrangements in consequence of the Act of 1774. The letter and documents respecting M. Deschambault arrived too late to admit of his claims forming part of the arrangements. Hopes this will arrive in time to hold a session of the Council before the 1st of May, to settle lesser points, leaving the appointments to the courts of justice, the regulation of ecclesiastical affairs, &c., till after the arrival of Hey and other officials. It is doubtful, however, if Hey will go out as Chief Justice. The transactions reported in letter of the 11th November (p. 11) may cause difficulties, but the factious motives are evident. Arrival of Paterson, believed to be charged with the addresses, &c., but nothing has yet appeared. 59

January 12, Quebec. Carleton to Dartmouth. Dispatches received. Tonnancour's memorial under consideration; it shall be returned when it can be reported on with precision. Papers sent respecting complaints regarding fees charged by Ainslie, Collector of Customs. The cabals and intrigues of British subjects to excite the Canadians continue; hopes that the attempt to create in them the same spirit that reigns in Massachusetts and runs through most of the other Colonies may not be successful. 110

Letter from Ainslie, dated 4th July, 1774. Copies of proceedings in the Court of Common Pleas respecting fees, and memorandum on the subject. 112 to 119

List of His Majesty's Council for the Province of Quebec. 120

January 12, Quebec. Carleton to the Treasury. Remarks on the trial of Wilcox *vs.* Ainslie, respecting fees, the suit being raised at the suggestion of Mr. Ainslie, who was both plaintiff and defendant. The fees charged to river vessels are less than those complained of, but as everything depends on the will of the collector, there is uneasiness lest he should increase them. The misfortune of the want of subordination on the part of the inferior officers of Government, as they depend on the protection of the Board, which issues their commissions; they are cold and at best neutral, even where the best interests of Great Britain are concerned; greedy of gain and warm for fees, perquisites and presents, so that they evoke murmurs by uncontrolled rapine and encourage opposition to whoever attempts to curb their voracious appetite. The necessity of settling the scale of fees and, if necessary, owing to the six months' interruption of navigation, of increasing the salaries. 122

January 19, Chelsea. James Hutton to Dartmouth. Sends papers relating to the transactions of the missionaries of the "Brethren" in Terra Labrador, from the end of 1773, to the month of October, 1774. Detailed accounts are given of the operations of the missionaries. At page 78, begins "account of the melancholy incidents attending the loss of the sloop George." The transactions and journals cover 36 pages. 62 to 97

February 4, Quebec. Carleton to Gage. Sends this by Lieut. Cleveland, in case of letters being intercepted by those who seem resolved to force their country into rebellion. The satisfaction of the Canadians at the Act passed in their favour. The gentry are well disposed to serve in regular corps, but do not relish commanding a bare militia; and the sudden dismissal of the

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Canadian regiment raised in 1764, without gratuity or recompense to officers, is still uppermost in their thoughts. As for the peasantry, Government has retained so little power, that it will require time and discreet management to recall them to habits of obedience. To embody them suddenly as militia and march them off to war, would give colour to the language of the sons of sedition, that it was the intention to rule over them with the former despotism. The Act, too, is only a foundation for settlement, and the whole system of government must be cast into a new form, &c. The advantage that would have resulted had the Act come soonor into force. Recommends raising a battalion or two of Canadians, which would find employment for and attach the gentry, giving them an influence over the lower classes and securing the Indians. How Indian affairs were managed; believes they are at his (Gage's) disposal whenever called on. Has no doubt the army is augmenting; the good effect of troops being sent here; the force must not be inconsiderable; the dangers of delay, &c. Page 290

Copy of letter from Carleton to Gage, dated 15th February, 1767, calling attention to the necessity of keeping up the posts of Crown Point, Ticonderoga and Fort George. 295

(The two immediately preceding letters of 4th February, 1774 and 15th February, 1767, are referred to by Cramahé in letter of 9th November, 1775,, in this volume, page 285.)

March 15, Quebec. Carleton to Dartmouth. Circulars received. Some of the natural born subjects continue to try to stir up the Canadians to hostility against the form of government, and have gone to the expense of translating, printing and circulating the letter addressed to them by the Continental Congress at Philadelphia. Minutes of Council sent. 129

Minutes, 11th October, 1774. The Act for the Government of Quebec (Act of 1774) and Act to provide a fund for civil administration read and ordered to be translated. Four general Acts to be fyled. 131

The same, 4th November. Translations read and to be examined. 133

The same, 25th November. The translations approved of and to be printed. 134

The same, 14th December. Petitions for lands referred to Committee. 135

March 27, Whitehall. Dartmouth to Carleton. Introducing Mr. Clarke, who was agent of the East India Tea Company at Boston, and was driven off by ill-treatment. He now desires to open a business correspondence in Quebec. 126

April 6, Whitehall. Carleton to Dartmouth. Dispatches received; asks for an explanation respecting the sum of £1,000 for contingencies to the civil officers of the Province. Sends intelligence from Montreal. The deputies from Massachusetts threaten that if the Canadians do not join them, 50,000 men from New England will lay waste the Province with fire and sword. The paper sent exhibits a specimen of the intrigues carried on all last Winter and which still continue. 147

Intelligence (in French) from Montreal. One Woolsey distributing throughout the parishes a translation of the address of Congress. Arrival of a man from Boston. Walker's seditious talk. Reported arrival of deputies from Boston by the River Kennebec, bringing letters to Macaulay of Quebec and Walker of Montreal; several traders of Montreal had a meeting at Lachine with these alleged deputies. 149

April 15, Whitehall. Dartmouth to Carleton. The departure of Her makes it less necessary to send instructions on points which he will explain. He is accompanied by Powell, appointed secretary. As Her does not remain long, he is to be succeeded by Thomas Potter, who is to sail shortly; on his arrival, Knox may leave. Other commissions sent. It will be gratifying

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to him to learn that the regulations and appointments give satisfaction. Page 127

May 15, Quebec. Carleton to Dartmouth. Further intelligence from Montreal shows that Massachusetts is trying to make use of the turbulent spirits to gain or intimidate the Canadians and are tampering with the Indians. Details of the proceedings connected with the insult to the King's bust. Copy of minutes enclosed. 161

Intelligence of the movements of emissaries from New England. 164-5-6

Letter of 7th April gives details of a meeting at the Coffee House, at which one Brown from New England read a letter signed by Adams, Mackay and Warren, and after he and Walker had harangued the meeting they tried to get those present to elect a committee in Montreal to correspond with the Committee at Cambridge, but were unsuccessful. Walker, Blake, Price, Heywood and Measam intend answering the letter. Brown threatens fire and sword should the Canadians take up arms. 167

Further notes of intelligence from Montreal. 169-170-171-173

Minutes 3rd January. Petitions from various public officers for payment of expenses, &c. 174

The same, 11th January. Public accounts presented; report on the same with tables. 176

The same, 25th January. Governor takes the oath as President of the Court of Appeal. 179

The same, 23rd March. Order to publish the proclamation regarding the licence fee for public houses. 179

May 23, Whitehall. Dartmouth to Carleton. Introducing Mr. Livius, who is appointed to be a judge of the Common Pleas. His qualifications entitle him to be put first on the commission for the District of Montreal. He shall be appointed to the Council, when he (Carleton) shall recommend him; there can be no objection to grant him a seigniory. 139

June 2, Whitehall. Same to the same. The King is desirous to encourage fisheries on the Labrador coast, but without prejudice to the just rights of Canadians, Can, therefore, only recommend the memorial of Mr. Burgess to his consideration, in accordance with the rules he may have adopted. 141

Memorial from James Burgess, merchant of London, on the subject of the fisheries on the coast of Labrador. 142

June 7, Whitehall. Dartmouth to Carleton. His dispatch received shows that the enemies of the constitution appear to be unwearied, but believes the firmness of Parliament will quiet apprehensions and remove prejudices, which ill designing men try to create. The attempts made by the Opposition to create difficulties for Government, on the ground of the petitions from the old subjects in Quebec, have met little encouragement either in Parliament or out of doors, and the people in general concur in the measures adopted for America. The account of the skirmish between the King's troops and Provincials, near Boston, has increased the indignation. 145

June 7, Montreal. Carleton to Dartmouth. Had received intelligence from Gage that the rebels had begun hostilities, and asking that the 7th Regiment, some Canadians and Indians might be sent to Crown Point to make a diversion. Hazen brought word that Benedict Arnold, a native of Connecticut and a horse jockey, had surprised the detachment at St. John's (a sergeant and ten men) seized the King's sloop, bateaux and military stores and carried them off with the prisoners. Hazen reports that the rebels under Arnold had surprised Ticonderoga, Crown Point, and the detachments of the 26th at these places, and seized the craft on the lake. Arnold had 500 men, and 1,500 volunteers were coming up, for whom he did not wait. During the night of the 18th and 19th, they

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landed a second time, reported to be 300, with 900 at Isle aux Noix. They would have been cut off by a detachment of 100 men of the 26th, had not Bindon, a merchant of Montreal, sent word to them. on which they crossed the Sorel, and were fired at going down the river. While this party, commanded by one Ethan Allen, an outlaw from New York, remained at St. John's, he sent a letter by the same Bindon, addressed to Morrison and the merchants of Montreal "friendly to the cause," demanding provisions, ammunition and liquor, which some would have sent but were prevented. The small force in the Province was ordered to St. John's. The noblesse were called on to collect their inhabitants, and the Indians were also ordered out, but although the noblesse were full of zeal, neither the peasantry nor Indians would come forward. A small body of volunteers, consisting of the youth of Montreal and neighbourhood, took part at St. John's, under Mackay. The consternation is universal; the Province is unprepared for attack or defence; there are not 600 rank and file along the whole course of the river; not a single armed ship and the minds of the people poisoned with lies, disseminated by emissaries and friends of the other provinces, and but for the few troops, 300 rebels might have seized all the provisions and arms in the Province and kept post at St. John's. Is fortifying a post at St. John's and Oswegatchie; were troops sent here, not only could the Province be secured, but help might be sent to Gage. Within the last few days, the Canadians and Indians are returning to their senses; the gentry and clergy have been very useful, but both have lost much of their influence. Proposes to form a militia, but doubts if he can succeed. The seditious conduct of the British American people here. Regrets having recommended the *habeas corpus* Act, and English criminal laws, they being used as arms against the State; to render the Colony of advantage would require the reintroduction of the French criminal law and all the powers of its government. The communication with the other provinces being cut off, there is a great risk of being at a loss for money; if £15,000 or £20,000 were sent, the money would be of great use to Government and the country. Since writing had learned that the rebels in greater force than before, had taken post near St. John's, with the King's sloop and Major Skene's schooner well armed, with several bateaux. Page 184

Enclosed. Letter from Ethan Allen to James Morrison and merchants of Montreal, dated St. John's, 18th May, 1775. 190

From Benedict Arnold to Thomas Walker, dated Ticonderoga, 20th May. 192

Ethan Allen to the Indians at Caughnawaga, dated Crown Point, 24th May. 193

Benedict Arnold to Walker, dated Crown Point, 24th May. 196

June 26, Montreal. Carleton to Dartmouth. Martial law proclaimed and the militia called out. The rebels came near enough to St. John's to exchange a few shots, but retired, finding the task too difficult for their numbers. They give out that they will return with 5,000 men. There is no doubt they are building craft near Crown Point, and have received reinforcements from the other provinces. They talk of penetrating into the Province through the woods, and small parties, apparently spies, have been already seen. Gage has desired him to draw on him for money and to take the upper posts under his immediate charge; these are likewise threatened by the rebels, who talk of making themselves masters of the whole continent. The loyal were astonished and are intimidated at seeing no force to defend them. He has not been able to assemble more than 500 men, artillery included, at St. John's and Chambly, leaving very slender guards elsewhere. The difference that a force of 10,000 or 12,000 men, with a corps of artillery, would make. Guy Johnson

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reports that the upper Indians were to meet him at Ontario; reports that the communication by the Susquehanna is threatened, and applies for provisions, ammunition, clothing, &c., and a small body of troops. Can supply everything but the latter, as they cannot be spared, whilst the rebels are so near. Page 201

Returns of troops in the Province of Quebec, 24th June, 1775. 204–205

July 1, Whitehall. Dartmouth to Carleton. The transactions in Massachusetts leave only room for the consideration of the most effectual means of augmenting the army under Gage. The King relies on the loyalty of his Canadian subjects; 3,000 men to be raised, either to act separately, or in conjunction with the regular troops, as shall be most expedient. How commissions are to be issued. The same pay, &c., to be given to them as to the regular troops. Arms, clothing, &c., ordered; how expenses are to be met. The painful effect of the surprisal of Ticonderoga. 152

July 4, Whitehall. Same to the same. Introduces and recommends Mr. Potter. 155

July 4, Whitehall. Same to the same. Dispatch received. If he knew the grounds of the doubts about the disposal of the £1,000 for contingencies, he might explain the matter; but it is for him (Carleton) to judge of the expenditure. Steps to be taken for the recovery of Ticonderoga. 156

July 12, Whitehall. Same to the same. Letter sent by the captain of the "Lizard," convoy to the ship "Jacob," loaded with arms, clothing &c. for 3,000 men, and four light brass three-pounders. The present state of rebellion calls for the greatest activity; hopes that Ticonderoga has been recovered, or the progress of rebellion on that side stopped. Vigorous efforts are to be made by sea and land, and besides the Canadian troops ordered to be raised, other means are to be used to augment the army and also the naval force, so as to enable Graves to dispose of the squadron necessary for the New England station and to have separate squadrons at New York, Bay of Delaware, Chesapeake Bay and the Coast of Carolina. Graves has been instructed to seize all ships and vessels belonging to the revolted provinces, except such as are the property of friends to Government. There is still hope of the southern Colonies, but the squadrons are to prevent all communication between the Colonies and give protection to the King's officers. Operations are left to Gage, but he (Carleton) is to support him and Graves. 158

July 24, Whitehall. Same to the same. In consequence of Gage's dispatches, he (Carleton) is to raise 6,000 instead of 3,000 men. Arrangements for arming them, &c. 182

August 2, Whitehall. Same to the same. Did not doubt that he (Carleton) would take measures to resist the efforts of the rebels, but with his small force did not expect he could recover what was lost. The backwardness of the Canadians is discouraging, but the resolution to act with vigour will have a good effect. His Majesty hopes to have an army of 20,000 men in North America next spring, and he (Carleton) may depend on a reinforcement. The arrangement for the command of the armies in the Colonies and in Canada. If the two should be joined Carleton is to take the command. Arms for 3,000 men and £10,000 are put on board the "Lizard." 198

August 8, London. Invoice of Indian presents shipped to Quebec by the "Elizabeth." 210

August 14, Quebec. Carleton to Dartmouth. Militia has been formed in the parishes of Montreal and Three Rivers, a few excepted, where the people are most corrupted. It will be inadvisable to assemble any number of them, unless it seems absolutely necessary. The Indians on the St. Lawrence have promised their assistance and, with some Missisaugas from north of Lake Ontario, have done duty with the troops at St. John's since the

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18th of June, Colonel Johnson has come with chiefs of the Six Natio and been followed by more; they have promised great things. It necessary to gain them, but they are not to be depended on. Asks th Colonel Johnson's rank may be clearly defined to prevent jealousi On the 29th of July he had left Prescott in charge at Montreal, to spect that part of the Province, so that he (Carleton) might arrange the courts of justice and to forward the completion of the militia. T rebels at Crown Point and Ticonderoga are considerably augment perhaps from fear of the militia and Indians, who are formidable on in name. The rebels still threaten to overrun the Province, but he hop to dispute their passage at Lake Champlain, if he can get craft manne Lieutenant Hunter of the "Gaspé" has been ordered up the river assist. The feeble state of the vessels on the upper lakes adds to t distress, they being very ill manned and not prepared for war. T consequences would be fatal for the upper posts should they fall into t hands of the enemy; sends returns of the shipping. Sends copies letters from the Continental and New York Congresses and a scrap paper dropped at the door of every *habitant* near Montreal; these sh how indefatigable are the enemies of Government without and with the Province to impose on the credulous simplicity of the Canadi peasantry. Sends letter from one Brown, who had the impudence venture into Chambly parish. The messenger is imprisoned, a man notoriously bad character, but Brown is not yet taken. Page 2

Enclosed. Return of shipping on Lakes Ontario, Erie and Huron. 2

"Lettre adressée aux habitans opprimés de la province de Québec la part du Congrès Général de l'Amérique Septentrional, tenu à Phi delphie," signed Jean Hancock, président. 2

Address (in English) from the Provincial Congress of New York the inhabitants of the Province of Canada, beginning: "The parent the Universe hath divided this earth amongst the children of men." 2

Copy of the scrap of paper containing two lines:

"Onis y soit qui mal y pence
"A celui qui ne suivra le bon chemin.
"Baston." 2

Copy of intercepted letter from John Brown to Thomas Walker a Price, dated Chambly, 1st August, 1775. 2

Deposition (in French) of Pierre Charlan, a prisoner in the barrac at Montreal. 2

August 15. Nassau Island, N. Y. Pat. Sinclair to (Pownall?). Had left Glasgow, landed in Maryla and passing through part of that Province, Pennsylvania and t Jerseys, arrived in New York, whence he intended to go by Oswego his post at Michilimakinak, but was stopped by the New York Congre and sent as a prisoner to Nassau Island, with order not to take pa in the controversy, an order repeated by an armed mob, who threaten him. Enters into details of the dangers that would attend the landi of troops, &c., and that no help could be expected from the modera men, who were more cautious than friendly, and unable to oppose t popular fury, fed by reports of a foreign war, of tumults in Gre Britain and of a change in the administration, which would produce change of measures in their favour. Troops can never effect what t navy may do by restraining their trade. The Canadians need troops reconcile them. 2

September 8 Whitehall. Pownall to Carleton. If the messenger sent to Falmouth can overta the "Lizard" she will proceed direct to Quebec without the store shi which is to proceed without convoy. The vessel (or another, ship war) is sent to carry the assurance that the Court of Russia will rend every assistance possible towards suppressing the rebellion in the pr

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vinces. In consequence, a corps of 20,000 infantry has been applied for and it is hoped that a considerable body of them may be sent in spring. If Howe's plan is carried out, most of these will be sent to Quebec, so he is to make every preparation for them. He is authorised to appoint an Adjutant General and a Quartermaster General. Page 217

September 14, Whitehall. Pownall to Carleton. The "Lizard" having sailed, the messenger is sent by the "Magdalen" schooner. Secret intelligence of rebel designs enclosed. Hopes for their defeat; if they have delayed, the papers sent may be of use. 219

Enclosed. Secret intelligence, dated 6th August, from Governor Tryon, that New York troops were ordered to Ticonderoga to be joined there by 1,000 riflemen, the whole amounting to at least 3,000 men, who are to be joined by 4,000 New England forces, to rendezvous at Crown Point, thence to proceed to Montreal and Quebec, more than half the Canadians having promised to join them. 220

John Foxcroft to Todd, dated 10th August. More detailed account of the rebel movement. The whole is to be commanded by Schyler (Schuyler). 221

September 21, Quebec. Cramahé to Dartmouth. Carleton set off for Montreal in the beginning of this month. The rebels beaten back by the Indians near St. John's; the Indians behaved with great spirit and had they remained firm the Province would have been saved for this year, but finding the Canadians averse to taking up arms in defence of their country, they withdrew. The rebels retired to Isle aux Noix, were reinforced and landed at St. John's, from which communication is now cut off. All means have failed to bring the Canadian peasantry to a sense of duty. The gentry, clergy and most of the bourgeoisie have shown the greatest zeal and have exerted themselves to reclaim their infatuated countrymen. Some of the King's old subjects have joined the rebels; it would be safer if all inclined that way would do the same. Some Canadians are with the Bostonians on every road. Lieut.-Col. Maclean, with about 80 of his newly raised corps and 20 fusiliers, besides a militia composed of the inhabitants of the town, are all that there are to repair the trenches and defend the town. Carleton is still in Montreal. 249

Copy of an intercepted letter (in French) signed by James Livingstone, dated La Pointe Olivier, 18th September, 1775. (A note, in English, says: "This same gentleman is from the Province of New York, was licensed as an attorney, but has not practised for some years, turned wheat merchant, and has lived upon the Sorel these five or six years.") 252

September 21, Montreal. Carleton to Dartmouth. About 2,000 rebels returned to the Province in the beginning of the month, and the militia were ordered to march and succour St. John's. On the 7th the rebels made a landing in the woods above the fort and were driven back by the Indians; they retired to Isle aux Noix, whence they sent out small parties which did little harm; their emissaries and friends scattered over the country have done much injury. The Canadians, with few exceptions, would not march, although every effort was made by the clergy, the gentry and better sort of people. The rebels have been more successful among them. The Indians have left and will do nothing, unless the Canadians exert themselves also. The rebels, with the assistance of Canadians, have invested the forts. His hopes of raising a corps on the Sorel and another at Laprairie disappointed. The importance of the Province made him obstinate in its defence, in hopes of not being abandoned by all the earth. It is four months since hostilities began, yet vessels cannot be fitted out or manned in his weak situation. Laprairie alarmed at the arrival of rebels. The Province most advantageous as a base of opera-

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tions; 10,000 or 12,000 troops next spring would change the face of things on this continent. Page 261

September 24, Quebec. Cramahé to Dartmouth. Since his last letter the roads have become so precarious that letters cannot be sent by post or by the regular couriers. Carleton has failed to raise a corps of volunteers and Indians to scour the woods. It would not be difficult with a small force to drive out the rebels, as Attorney Brown, with 200 men, was driven back from St. John's, by a detachment of half the number, composed of some troops and Canadian gentlemen volunteers. The party at Point Olivier has got to the Point of Sorel, about 350 or 400 men. At present their intentions are not known. Their Major, Duggan, formerly a barber, now a bankrupt wheat merchant, can add no weight to their cause. Dispatches by the "Adamant" received; shall answer them if Carleton does not soon return. 253

Enclosed. Copy of a circular letter (in French) signed by Livingstone and Duggan. 255

September 25, Whitehall. Pownall to Carleton. The "Magdalen" not having yet sailed, sends copies of two dispatches to Sir W. Howe, which will show him the further orders about the five regiments under orders for embarkation at Cork. The stores on board, if landed at Quebec, are to be forwarded to Howe's army at Boston or elsewhere. 244

September 28, Whitehall. Same to the same. Sends duplicates and copy of his letter to the commanding officer of the regiments under orders for Quebec. 245

September 30, Quebec. Cramahé to Dartmouth. Sends copy of letter from Carleton to Dartmouth (21st September). Rebels crossed from Longueuil to Long Point on the Island of Montreal. Some inhabitants of the town, headed by a few troops, attacked and defeated them, taking 35 or 36 prisoners, Ethan Allen being of the number. Major John Carden, mortally wounded, is since dead; Alexander Paterson, merchant, and Mr. Beaubassin slightly wounded. The rebels have plundered all the houses and farms of the gentry and *habitants* who have joined the King's forces. Want of ships of force to guard the river; has hired and is arming vessels for that purpose; has been obliged to lay an embargo on vessels till the 24th of October, in order to man them. With the assistance of Lieut.-Colonel Maclean, the town is put in a little better state of defence, and 80 stout seamen form no inconsiderable reinforcement. Sends copy of manifesto by Schuyler; it is said that he has returned on account of ill-health, and that Montgomery, formerly a captain in the 17th, now calling himself Brigadier General, commands at Isle aux Noix. 256

Copy of manifesto. 258

October 10, Montreal. Deposition (in French) of Joseph Deschamps, respecting the proceedings of Thomas Walker and the rebels, &c. 301

Deposition (in French) of Jean Baptiste Bruyeres, dated the 4th of October, respecting the arrival at L'Assomption of two Bostonians, and their reception by Walker, &c. 307

Other depositions by Michel Guilette and Germain LeRoux, respecting the proceedings of the rebels. 309–311

October 13, Boston. Howe to Carleton (extract). Had ordered two battalions for Quebec, but the objections of Admiral Graves had frustrated his intention. 288

The letter, dated 12th October, from Graves to Howe, pointing out the danger of vessels going to Quebec at this season. 289

October 13, Dead River. Benedict Arnold to Mercier (intercepted letter), stating that he was on his march to Quebec with 2,000 men, to co-operate with Schuyler. Hopes for assistance from their brethren in Canada, as the expedition was undertaken at the request of many of the principal inhabitants. 297

Another, of same date, from Arnold to Schuyler, reporting the progress of his advance on Quebec. 299

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(These letters enclosed in Cramahé's of the 9th November.)

October 25, Quebec. Cramahé to Dartmouth. Is not sufficiently informed of operations in the upper part of the Province to give details. The forts are still invested, but little impression made; the success of the little affair at Montreal has had a favourable effect on the Canadians. Hopes that Carleton may be able to raise a sufficient force to restrain the rebels and throw succours into the forts. The reluctance of the Canadians to take up arms makes it uncertain if a force can be raised to drive out the rebels, especially if Lee, with 1,500 or 1,800 men, has arrived from Cambridge at St. John's. Arrival of the "Hunter" sloop of war. Had she arrived three months sooner she might have been of great use. The embargo on vessels, which expired on the 20th, has been renewed to the 4th November; otherwise the armed vessels could not have been manned. The ships with valuable furs have been allowed to go. Has drawn on the Treasury for the expenses of civil government, in consequence of letter from Carleton, extract from which (p. 266) follows. Page 264

October 25, Montreal. Carleton to the same. After the letter sent by Lord Pitt (p. 261), the disobedience of the people increased. Rebels have received reinforcements, and their emissaries can travel with greater safety than the King's messengers. On the 24th September it was reported that the rebels intended to cross and storm the town. An order was sent that all ladders in the suburbs were to be brought within the walls; this was resisted with insolence and threats. It is doubtful if a guard for the gates could be procured from the militia. There are about 60 soldiers; the walls extensive and defenceless. Details of the affair in which Ethan Allen was taken prisoner (see p. 256). Of the rebels, about two-thirds were Canadians, who expected to march in without opposition. The favourable effect of the success. The attack, defence and surrender of Walker's house has also had a good effect, and the militia are beginning to come in. Arrival of Lanaudière at Berthier with a detachment of unarmed militia; he was attacked by the *habitants* and taken prisoner, but released and joined Lieut.-Colonel Maclean, who had marched from Quebec with the small remains of troops and what militia he could assemble, and had taken post at Sorel. Had proposed to raise a considerable force here to be stationed at Chambly, had not this wretched people been blind to honour, duty and their own interest. Rigouville attacked by the *habitants* at Verchères, and taken prisoner; his militia has returned home. These events have caused constant desertion; and the taking of Chambly will still further sink their spirits. Arrival of Indians; more expected; they are as easily dejected as the Canadian peasantry, and, like them, choose to be on the strongest side, so that when most wanted they vanish. Encloses copy of letter from Montgomery. It is true rebels have been put in irons, not from choice but from necessity. "We have neither prisons to hold, nor troops to guard them, so that they have been treated with as much humanity as our own safety would permit. I would not even suffer a savage to pass the frontier, though often urged to let them loose on the rebel provinces, lest cruelties might have been committed, and for fear the innocent might have suffered with the guilty." Shall not answer Montgomery, not choosing to enter into communication with traitors. 267

Copy of Montgomery's letter. 272

November 5, Montreal. Carleton to Dartmouth. The surrender of St. John's; sends articles of capitulation and returns. The causes of the failure of his efforts to guard the Province——the construction of the vessels to dispute the passage of Lake Champlain failed for want of hands; the entrenched camps that might have been formed near Chambly and St. John's were prevented by the corruption and stupid baseness of the Canadian peasantry, and

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thus St. John's, which for two months had opposed the rebels, was to its own strength and reduced to surrender; the Indians have left; militia from the parishes have deserted, and the good subjects frightened at the rebels in arms without and the traitors within. Expe Montreal to be given up as soon as attacked; the lower orders will act and there are not means to defend the place. Arnold is march on Quebec, which is not better prepared. Lieut. Colonel Maclean, s up to Sorel with a few troops, has also been abandoned by the mil and obliged to go on board the armed vessels. Page

Enclosed. Return of the garrison of Chambly, made prisoners by rebels, 17th October.

Articles of capitulation proposed by Major Charles Preston for John's, with the answers.

State of the troops taken prisoners at St. John's, 2nd November.

List (in French) of Canadian officers and gentlemen, who have ser as volunteers under Bellêtre, taken prisoners at St. John's.

November 8, Quebec. Arrivals at the port of Quebec in the month of November, since establishment (1763) to date.

November 9, Quebec. Cramahé to Dartmouth. Sends copy of letters written by Carle to Gage, one dated in February, 1767, the other in February l They relate to the occurrences of the present times and show judgment he had long since formed on the subject. Sends extra of letters to show that no succours are to be expected from Bost A body of men arrived by way of the Chaudière; part actua at Point Lévis. For defence, there are four score recruits of M lean, Irish fishermen unacquainted with the use of arms, and ab 35 marines landed from the "Lizard;" the rest are militia, with d culty brought to mount guard. The rebels on the north shore of the Lawrence have stopped communication with Montreal. The easte wind prevents the General from coming by water. The rebels h on their side the Canadian peasants, who could not be prevailed on by clergy, gentry or bourgeoisie to do their duty and there was no force compel them. Two battalions would have saved the country in Spri doubts if twenty could regain it. Owing to the want of guards or ga the rebel prisoners have been sent to England. Lists sent, also affida respecting Walker. Should a large force be sent next Spring, Mr. Br Watson can give the King's servants some useful hints. The n approach of the enemy prevents him (Cramahé) from committing th to paper.

November 9, Quebec. List of the rebel prisoners put on board the ship "Adamant;" w warrant signed by Cramahé.

November 17, Quebec. Mabane to Cramahé. For medical and surgical supplies.

November 19, Quebec. Cramahé to Dartmouth. The critical state of the Province. Has heard from Carleton since the 5th, and with, perhaps, the exception one short letter, does not think any has reached him (Carleton). T rebels had raised batteries at the mouth of the Sorel to prevent the fl from Montreal passing. Arnold's party had crossed over from Lévis the night between the 13th and 14th; his force has spread itself so as prevent anything from being brought into town. The enemy withe is not to be so much dreaded as those within. The story of firing on flag of truce is an arrant falsehood, calculated to figure in Americ prints. Arnold's own account of his march is contained in his lette handed by mistake of his courier to Lieut.-Colonel Maclean. H consulted the sea and land officers; whether the plan they recomme can be executed, no one can say. Whether or not the enemy pose themselves of the town, it will require a large force to reconquer t

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country; no time should be lost, and the preservation of the ships and stores here is extremely precarious. Sends memorial from the masters and crews of vessels kept for the defence of the town. Has heard of the rebels marching upwards; their intentions are unknown. Page 324

Enclosed. Camp before Quebec, 14th November. Demand by Arnold for the surrender of Quebec. 328.

Same place, 15th November. Arnold to Cramahé, stating that flag of truce had been fired on. 329

Camp at St. Maria, 8th November. Arnold to Montgomery. Congratulates him on his success. The difficulties he himself has met with in his advance. About two-thirds of the force has arrived; the other third went back with Enos. Is afraid his letter to Schuyler has been delivered up at Quebec by his messenger, as he has had no answer. About 40 Indians have joined and the Canadians are friendly and will be able to furnish a number of canoes to cross. Is informed of vessels being at Quebec, but he shall attack it if there is any prospect of success; if not will join him (Montgomery) at Montreal. P. S. reported arrival of a frigate and two transports with recruits; most of the inhabitants on their (the American) side, and the city short of provisions; hopes to cut off communication. If a regiment can be spared it shall be sent; the city must of course fall. 331

Point Lévis, 8th November. Arnold to Washington. Gives an account of his progress. Montgomery reports the reduction of Chambly. (The rest of the letter is substantially the same as to Montgomery). 334

Private signal for the information of the fleet. 337

November 20, Quebec. Carleton to Dartmouth. After the taking of St. John's, had only waited for a fair wind to take the small garrison at Montreal to Quebec, all passage by land being cut off by the rebels, who had crossed at Berthier and been joined by many Canadians; they had also crossed in large numbers with cannon above the town (Quebec). Had left on the 11th with a fair wind; on the 12th, one of the vessels ran aground, which caused delay, and a change of wind made them anchor near Sorel, from which they were driven by cannon from the shore and a floating battery. The wind still keeping contrary, he (Carleton) got through their guards in a whale boat and reached Quebec yesterday. Thanks for his commission as commander-in-chief. Cannot enough lament the blind perverseness of the people without the least cause of complaint. The error of treating the Canadians as militia, which they greatly resent. Everything in his absence has been done for defence; could the people in the town and seamen be depended upon, the place could hold out, but there are so many traitors within that it is doubtful, to say nothing worse. 318

Letter (in French) by Montgomery to the inhabitants of Montreal, sent to DuCalvet, enclosed in Carleton's letter. 321

Summons by James Easton to Carleton to surrender the fleet, 15th November. 323

November 20, Quebec. John Hamilton, Captain of the "Lizard," to Dartmouth. States the steps taken for the defence of Quebec, and encloses report of the proceedings of a council of war. A deserter from the rebels reports that Arnold's men were short of ammunition and clothing, and that, hearing a sally was intended they had retreated into the woods to wait the arrival of 2,000 men reported to be on the march from Montreal. 340

Proceedings of a council of war. 342

Returns of men for the defence of Quebec and of provisions in the garrison. 344

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Request of the council of war to the masters of the King's ships to lay them up, that the seamen may assist in defence of Quebec. Page 345

November 21, Quebec. Captain Hamilton to Dartmouth. Forwards the petition of the masters of the merchant ships at Quebec. 346

Petition to the King, enclosed in one to Cramahé, praying for an allowance for their losses and the expense attending their detention. 347

November 22. Intelligence by the "Elizabeth," store ship, from Quebec. Carleton had arrived, and it was resolved to defend the town to the utmost. The garrison amounted to 1,600 men, with provisions to last till May. A ship, the "Polly," had come down the river with the "Elizabeth," bringing a deserter from the rebels and dispatches from Carleton. On the 22nd November, the day the "Elizabeth" sailed, the rebels had not come down from the upper part of the river; about 500 belonging to Arnold had come under the walls, but dispersed on being fired at. 338

No date. Memorial of John Burke, Montreal, to be continued in his offices of Coroner, Clerk of the Peace, &c. 207

CORRESPONDENCE BETWEEN GOV. CARLETON AND LORD G. GERMAIN.—1776.

Q. 12.

1775. August 28 to September 17, Quebec. Chief Justice Hey to the Lord Chancellor. The apprehension of an invasion of the Province from Crown Point and Ticonderoga is less than a month ago; conjectures as to the reason; suspects that it is intended to wait for the Winter so as to cross Lake Champlain on snowshoes. His changed opinion of the Canadians, of whose loyalty, obedience and gratitude he often spoke. It now turns out that their obedience was only due to fear, and, with that fear lost, all the good disposition spoken of is gone. Is still inclined to hope that their extreme ignorance and credulity have been practiced on by the agents from the Colonies, who were busy last Winter. Thinks that if they could be made to see their duty and interest, they would, when supported by a body of King's troops, strike more terror into the Colonies than Gage's troops doubled or trebled at Boston. So long as Britain has a firm hold on Canada, her cause in the Colonies can never be desperate, even if she had not an inch of ground in them, as they are more accessible from here than from Boston itself. But for British troops, the Colonies from north to south would have been reduced during the last war by this province, and it is evident the colonists thought so themselves and the pains they have taken to concilitate the Canadians show their dread of it at this hour; if the troops were brought here from Boston ready to begin operations in Spring, it would lead to a more speedy accommodation than anything else. It is melancholy to think that when most wanted this Province should be stripped of the few troops that had been here before the troubles broke out. There are hardly 500 men at St. John's, the most obvious pass to defend; many others are neglected. Little dependence can be placed on the Canadians, who are terrified or corrupted. Their delusions. Such a mixture of ignorance, fear, credulity, perverseness, never yet took possession of the human mind. The only object at present is to prevent invasion during the Winter, and to wait for more sober times for the establishment of the country under the new Act. Something in a temporary way must be done and is in agitation, but it is wonderful to observe so great an instance of folly and strange infatuation amongst the Canadians as in the article of militia. (The letter enters into details on this point.) The injudicious dealing of Carleton respect-

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ing the seigniors; their elation at the supposed restoration of their old privileges has given just offence to their own people and to the English merchants; they insist that there be no alteration in the ancient laws, particularly in the article of commerce, the whole of which is in the hands of English merchants, without whom there was not, and will not be, any trade. The gloomy prospect; his desire to retreat from the position he occupies. Continuation, dated 11th September. Matters are worse since he began this letter. The rebels are returned in great numbers, seemingly resolved to make themselves masters of this Province. Hardly a Canadian will take up arms and there are only about 500 men to trust to and two small forts at St. John's. Everything seems desperate and he cannot but fear that before this letter reaches, Canada will be fully in possession of the rebels. He will stay till all hope is gone. 17th September. The rebels have made peace with the savages, who have all left the camp at St. John's, where many Canadians are in arms against the King's troops; except at Montreal and Quebec, there are not one hundred in the King's favour. St. John's and Montreal will soon fall into the hands of the rebels, and doubts that Quebec will also soon fall, so he holds himself in readiness to embark. Page 203

November 22, Quebec. Proclamation, ordering all who refuse to take up arms in defence of the town to leave it in four days. 24

December 6, Holland House. Montgomery to Carleton. That he knows the defenceless state of Quebec, but out of compassion has refrained from attacking it; charges Carleton with firing on a flag of truce, and ends the letter with these words: "Should you persist in an unwarrantable defence, the consequences be on your own head! Beware of destroying stores of any kind, public or private, as you have done at Montreal and in the river—if you do, by Heavens there will be no mercy shown." 16

December 6, Holland House. Same to the merchants of Quebec, warning them of the dangers of resistance. (A copy of this in French was sent to the French merchants). 18

December 15, Order to the rebel troops to attack Quebec, offering them a share of the plunder. Arrangements for the guards. 20

Return of the rebels killed and wounded brought into the town, and of those taken prisoners on the 31st December, 1775. The totals were: Killed, 30; wounded, 42; prisoners, 389. 37

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January 12, Quebec. Carleton to General Howe. Montgomery was on the 5th of December at St. Foye, with artillery; heavy guns landed at Cap Rouge; Arnold held the other avenues, so that communication was cut off. Letters to the merchants brought in by a woman, who was imprisoned and then drummed out. Battery at St. Roch's and on the heights within 700 feet of the walls. Flag of truce sent by Arnold but not received. The attack on the 31st December; the repulse; death of Montgomery; the artillery captured; the number of the attacking party, &c. 11

February 17, Whitehall. Germain to Carleton. (No. 1). The events in Quebec last November left no room for any consideration but that of sending relief to Quebec, should it have been maintained during the winter, to be followed by troops sufficient to retake the town should it have fallen and to effect the recovery of the whole Province. A squadron has been prepared with all dispatch, to be accompanied by victuallers and transports. The 29th has been distributed among the different ships. Every effort will be made to have the second embarkation ready to sail by the end of next month, consisting of six regiments from Ireland, and two from Great Britain, with four companies of Artillery and a large battering train under Burgoyne, who, with Cornwallis, is to serve under him (Carleton) on the side of Canada. It may be some time before Cornwallis joins, as he is to serve under Clinton on an expedition to the

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southward. It is proposed to add about 5,000 foreign troops, furnished by the Duke of Brunswick and the Prince of Waldeck. Sends state of British regiments that are to proceed under Burgoyne; they and the foreign auxiliaries are to be employed in such manner as shall be most effectual for the service. Burgoyne has received full instructions. (The state of the regiments does not accompany the letter). Page 1

March 28, Whitehall. Germain to Carleton. (No. 2.) Hopes that the regiments from Ireland are ready to proceed. This letter will be delivered by Burgoyne, who accompanies the first embarkation, consisting of 2,000 Brunswick troops and the 21st Regiment. The difficulty of procuring transport makes it impossible to say when the second division of Brunswick troops can embark; hopes it will be next month. Sends arrangement of rank for the officers, so as to prevent embarrassment from the claims of the foreign generals. The King's sense of the service rendered by the repulse of the rebels at Quebec; it is hoped the effect will be to deter them from a second attempt. Should the rebels attempt to keep possession of Montreal or any other place on the Canadian side of the lakes, the troops will be sufficient to drive them out. In event of success he is to cross the lakes to co-operate with Howe. Should Quebec have fallen, a force of artillery is sent to enable him to regain it. 4

April 27, Halifax. Lieut.-Governor Abbott to Germain. Has arrived in Halifax; the vessels with the 47th too crowded, but will take the earliest opportunity to proceed to his post. 38

May 10, Quebec. Colonel Allan Maclean to the same. Congratulations on his being appointed to the American department. Caldwell, who carries the dispatches, will give full details; he commanded the British militia, which so greatly contributed to defend Quebec; his house and property burned by the rebels. The moment the rest of the 29th and 47th Regiments have arrived, he hopes that the rebels will be followed close before they recover from their panic. The difficulties of a defensive campaign. 39

May 14, Quebec. Carleton to the same (No. 1). After Quebec had been closely invested by the rebels for five months, the "Surprise" frigate, "Isis" and sloop "Martin" arrived on the 6th. When the detachment of the 29th and marines were landed they, with the gretear part of the garrison marched out of St. Louis and St. John's gates; found the rebels busy preparing to retreat; they left behind them all their artillery, stores &c., &c., and on the vessels proceeding up the river they abandoned the "Gaspé" and the armed schooner "Mary." The rear of the rebels halted at Beechambault, and the "Surprise" with the other two vessels is a little below the falls of the Richelieu. During the siege just ended the mixed garrison showed great zeal and patience under very severe duty. For three months after their defeat, the rebels confined their operations to cutting off supplies and burning the suburbs. In February they sent in a flag of truce, which was warned off, unless it was to ask the King's mercy. Defeat of Beaujeu; plot of the rebel prisoners to escape and to open St. John's gate to Arnold effectually disappointed. On the 4th of April the rebels opened fire from the opposite side of the St. Lawrence, and on the 22nd from the opposite side of the St. Charles throwing red hot balls; on the 23rd they fired shells. Their batteries much damaged by the artillery in the fort. Abortive attempt on the 3rd of May to set fire to the shipping. The services of various individuals and classes during the winter. Arrival of the 47th and 29th. The services of Major Caldwell, the bearer of the dispatches.

May 14, Quebec. Same to the same (No. 2). Dispatches, &c., received from Lieut.-Colonel Nesbitt, arrived in the "Niger," who had left the 47th in the

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river. Sends copies of proclamation, letters, &c. Duplicates of letters to the merchants, sent in by arrows, &c.; returns. Page 14

(*Enclosed* letters from Montgomery of 6th December, and order to rebel troops of 15th December calendared at their dates).

Also enclosed: Intelligence (in French) from Montreal, received at Quebec on the 14th of May, "from a person who never yet deceived," contains an account of the movements of the rebels; arrival of artillery; Hazen is making an entrenchment at St. John's; Arnold commands at Montreal. Franklin has gone off with Mrs. Walker and Mrs. Price. Permits given to traders. Bostonians taking provisions by force—they have no money either in specie or papers. 22

Proclamation, dated 10th May, ordering search to be made for the wounded rebels who may be perishing in the woods, to be brought in and cared for; when restored they shall be allowed to go free. 27

The same in French. 29

Proclamation, dated 12th May, that those ordered to leave the town by the proclamation of the 22nd November are not to return without a permit. 31

The same in French. 33

Return of His Majesty's forces in the garrison of Quebec, 1st May, 1776. 35

May 14, "Lord Howe," Quebec. Captain Thomas Pringle to Germain. His arrival after a troublesome passage at Isle aux Coudres on the 6th and at Quebec on the 8th; found Quebec still invested. The attack on and rout of the rebels, who abandoned everything. The good effect of the arrival of Captain Lutwidge's convoy; the armaments sent and sending will be of the utmost consequence. Report that Maclean is to make an advance. Thanks for his (Pringle's) promotion. 41

May 25, On board the "Maria." Carleton to the same (No. 3). Has received word from Captain Forster of the capture on the 19th of a fort at the Cedars, two pieces of cannon and 390 rebels, prisoners at discretion. The day following, a party of 120 rebels, crossing from Montreal, were attacked by Lorimier and Montigny, defeated and taken. The small force already arrived is drawing nearer to the rebels, who are still numerous and talk of large reinforcements. 49

May 25, Quebec. Cramahé to the same. Sends copy of intelligence received from Montreal. Reported capture of the post at the Cedars. Three Rivers evacuated; by last accounts the rebels had plundered the seignior of Berthier of his corn and cattle, and were on the point of crossing to Sorel. By all accounts 5,000 rebels are in the Province, and it is reported from New York that a brigadier Sullivan was to march for the Province with six regiments. The necessity of sending out provisions for reasons given. The rebels are in want of provisions, and it is the only article they pay for (except what they plunder from friends of Government). Sends bills drawn on Britain, to show who are supporting them there. Sends returns of sailors, maimed and wounded, sent home in the "Hope" transport. Confirmation of the success at the Cedars. The failure of the usual north-east wind prevents the arrival of succours from Britain, as well as the advance of the 29th and 47th going up the river with Carleton. 50

Enclosed. Intelligence of the movements of the rebels. 53-54

Return of wounded sailors. 56

May 28, Quebec. Maclean to ———. Had written to Lord North, but would not send tedious details of the fortunate events of 31st December and 6th May. The rebel loss on the first date was 650, of whom the garrison buried 220, and 20 were discovered in Spring under the snow. Details of the proceedings of the 6th May; account of the fright of the rebels, many of them throwing away their arms, the two generals being the first to fly.

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They made no stop till they came to the Sorel, 140 miles from Quebec. Re
ported capture of the Cedars; does not believe the rebels will stay lon
in Canada. Carleton has set out with the 29th and 47th regiments. Th
delays by westerly winds; has been left here to wait the arrival of troop
and hurry them up the country. Speaks of his own services ,and that h
has not disgraced the recommendation of Lord North. Had reconcile
the English merchants of Canada who were soured by the preferenc
given, they allege, to Canadians. The British militia, 320 brave men
did their duty, many of the men and all the officers at their own expense
Is mortified that his regiment has not been put on the establishment, o
account of his officers, all of whom have served long and well, none o
the captains less than 20 years. Yet young regiments, newly raised an
which have done nothing, are placed on the army establishment. Urge
the claims of his officers, &c. Page 6

June 2, Quebec. Carleton to Germain (No. 4). Forster obliged to retire from Montrea
being encumbered with more than 500 prisoners, and a very superio
force being sent against him; his prisoners sent back, except the chie
retained as hostages, on the express condition that they were not to serv
against the King unless exchanged. Owing to contrary winds, coul
get no higher than Three Rivers, where he posted a guard and returne
here to hasten the building of bateaux and other arrangements. Pr
sumes the troops under Fraser and Burgoyne have arrived, but the tra
sports being ordered to proceed without stopping, and lying at a distanc
from one another, returns cannot be obtained. P.S. Reports the settl
ment Forster was obliged to make respecting his prisoners; he has bee
obliged to retreat to Oswegatchie. Arrival of Fraser with troops a
Three Rivers. 5

Agreement, signed by Forster on the one side and Arnold on the othe
as to the disposal of the prisoners taken at the Cedars. 5

June 2, Quebec. Carleton to Germain (separate). Respecting the commission to Christi
of the Quartermaster Generalship, already given to Major Carleto
Has delayed carrying Christie's commission into effect till furthe
instructions. 6

June 5, Quebec. Robert Knox, physician, to the same. Congratulations on the succes
of His Majesty's arms and the gallantry of Carleton and his troops. Th
troops from Cork and Portsmouth have arrived in perfect healt
Although the "Speke," hospital ship, did not come as ordered, ye
medicines and stores have been found sufficient for the troops, until
necessity arises for forming a hospital at Montreal. Prays for som
mark of the King's approbation. 8

June 6, Quebec. B. Rumsey to the same. Sends return of ordnance and stores take
from the enemy, after their retreat on the 6th of May. 7

Return, dated 26th May. 7

June 20, Montreal. Carleton to Germain. (No. 5.) Troops pushed on to Three Rivers
attempt on the 8th to attack them; defeat of the rebels; 200 prisone
taken. Amongst them their chief Thompson, called a Major General, an
a Mr. Irwin, second in command. Report given in detail of the oper
tions against the rebels towards St. John's, who fled with every mark o
fright. Good conduct of the troops; details given. 6

June 21, Whitehall. Germain to Carleton. His letter of the 14th May received; hi
pleasure at the perusal of the first paragraph, stating the arrival of th
"Surprise", "Isis" and sloop, being satisfied that the small reinforcemen
they brought was sufficient to raise the siege. The honour due for hi
state of preparation; the King's approval of the behaviour of all in th
garrison, and that he desires this to be published, as well as thanks t
the judges, officers of government and merchants, for the cheerful sub
mission to the inconveniences of the siege. Colonels Hamilton an

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Maclean and Major Caldwell have been honoured with the royal approbation. His silence as to the number and intentions of the rebels and of his own intended operations renders it impossible for him to convey instructions. His Majesty, however, hopes that the force sent will be sufficient not only to reduce the Canadians to obedience, but to make such an impression on the rebellious subjects in arms, as to affect distant operations and assist Howe. In exchange for the 47th Regiment sent by Howe, he is to receive the Waldeck troops. His (Carleton's) power to grant commissions extended to lieutenant colonelcies. Lieut. Willoc, of the 5th Regiment is appointed assistant to the officer commanding the second division of Brunswick troops. Respecting transports; returns sent. Foreign transports to be discharged so soon as the troops are landed and their holds to be searched for contraband stores. Page 44

June 22, Montreal. Carleton to Germain. (No. 6.) The army brigaded; four brigadiers appointed. 68

June 26, Montreal. Lieut. Colonel Christie to the same. Complains of Carleton's course towards him and asks for an investigation. Sends documents relating to the differences between him and Carleton. 105

Enclosed. Purport of a conversation between Lieut. General Burgoyne and Lieut. Colonel Christie, at Montreal, on the 25th of June. 113

Copy of letter from Carleton to Christie, dated Quebec, 26th September, 1774, offering to be of service to him and his family. 118

July 7, Quebec. Cramahé to Germain. Sends letters from German officers. Carleton at Chambly; he is trying to get a naval force on the lake, which must be accomplished before the pursuit of the rebels can be renewed. The "Tartar" with two ships arrived; pilots put on board, to push on the store ships, but fears that the passage upwards will be tedious from the contrary winds. 82

July 8, Chambly. Carleton to the same (No. 7). That the day after regaining possession of Montreal, Sir John Johnson arrived with about 200 followers; he reports a number of suffering loyalists in the Province of New York; a commission granted to Sir John to raise a battalion, to be called the King's Royal Regiment of New York. The difficulties of transport render it necessary to suspend operations against the rebels. 102

July 13, Chambly. Same to the same (Separate). Sends return of troops. Maclean goes to London to solicit that his corps may be placed on the regular establishment; the services rendered by him and his officers. 104

The return of the British army in Canada, dated Three Rivers, 1st June. 106*a*

The same of Brunswick and Hesse Hanau troops. 108

The same of British troops, 1st July. 109

The same of Brunswick and Hesse Hanau troops. 111

August 8, Whitehall. Germain to Hey. The Province of Quebec being cleared of rebels, desires to know when he can embark to re-open the courts of justice. 83

August 10, Quebec. Carleton to Germain (No. 9). Had returned to Quebec to establish courts of justice, after preparing a naval force for the lakes. As the Legislative Council could not be called together, had issued commissions for the districts of Montreal and Quebec and established a Court of Appeal and empowered the judges to take cognizance and report on the damages caused by the irruption of the rebels. Arrival of Owen; his salary as Judge of Detroit was to be £100; he now demands £500, in virtue of a letter from Pownall. The injustice done to a gentleman for whom a commission had issued. The abuse of the appointment of deputies to patent offices increased by the issue of writs of mandamus. The appointment of Gordon; he has been put into the office of Clerk of the Crown, but not into the others, the injustice to previous occupants of which is stated. The injustice caused by the mandamus to Livius.

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The improper terms introduced into every mandamus, even to those of the judges. The injustice that would be done to Captain Holland by the appointment in his room of Captain Carleton, whose commission has been stopped. Page 119

Enclosed. Copies of commissions:

1. For a court of civil jurisdiction in the district of Quebec; 23rd July. 124

2. To inquire into the damages done by the rebels; 30th July. 127

3. For a Court of Appeal; 1st August. 131

August 10, Quebec. Carleton to Germain (No. 10). "I have from the beginning been convinced that the men who kindled the flames of rebellion in America never entertained a thought of extinguishing them, but were resolved to seek their own safety and gratify their ambition in the continuance of the public confusion and public calamities. The resolves of the Congress, transmitted by Mr. Washington to Lieutenant General Burgoyne, of which your Lordship will herewith receive a copy, as well as of his letter, seem calculated to hurry on a revengeful war, in order to deprive all moderate men in the Colonies of the least hopes or thought of a reconciliation." The object of his own orders on the 4th instant was to counteract this malignant spirit. Had, previous to the receipt of these resolves, directed that all prisoners should be sent home. A list of the prisoners, and copy of the orders of the 4th are all the answer that shall be sent to Washington. 135

Enclosed. Letter from Washington, dated New York, 15th July. 137

Resolutions of the Congress, dated 10th July, respecting the capitulation of the Cedars. 138

Orders, dated 4th August, prohibiting commanding officers of corps from receiving letters or flags of truce from rebels, &c. He does not blame the people at large, but a few wicked, designing men, who first deceived and then step by step misled the credulous multitude, established a despotic tyranny and now wantonly endeavour to provoke the spilling of blood to cover their own guilt, &c. All prisoners from the Colonies are to hold themselves in readiness to embark for home, should they choose, and orders have been given that they are to receive wholesome provisions, necessary clothing, with every possible convenience for their passage. They are to remain in their individual provinces till enlarged. 146

List of prisoners taken above Three Rivers, 9th June. 149

Prisoners taken at Isle aux Noix. 156

Prisoners taken at Isle au Motte. 157

Prisoners taken at Quebec. 159

Recapitulation. 169

(The lists give the names of the prisoners and the provinces from which they came.)

August 15, Quebec. Carleton to Germain (No. 11). Sends list of Legislative Councillors. Proposes to fill up the vacancies by appointing Major Henry Caldwell, Mr. Longueuil, now a prisoner in the Colonies, Mr. Dufils, Colonel, and Mr. Baby, Major, in the Militia. Arrival of 32 artificers. 170

List of Legislative Councillors. 172

August 18, Quebec. Cramahé to Germain. That Carleton had forgotten to recommend William Grant to succeed Kneller as Attorney-General. He now recommends him for that office. 173

August 22, Whitehall. Germain to Carleton (No. 3). Has laid before the King the news of the repulse of the rebels, &c.; his (Carleton's) conduct much approved of. Commends the zeal of the national and foreign troops. The situation of Forster made it necessary to enter into the agreement he did; his reasons were solid. The prisoners taken may secure the release of

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loyal subjects. How this is to be effected without committing the King. Page 84

August 22, Whitehall. Germain to Carleton (No. 4). That the Brigadiers appointed (p. 68) are to hold that rank till the troops join Howe, when it is to cease. That the appointment of Major-General Phillips (of the Royal Artillery) is not to be taken as a precedent for artillery officers to command. 86

August 22, Whitehall. Same to the same (No. 5). The rapid success in driving out the rebels does him honour; hopes he will soon retake the frontier posts, and that he will be able to clear the frontiers of Canada of all the rebel forces. The task then remains of restoring peace and establishing good order and legal government in Canada. To do this, and to show that the guilty can be punished and the innocent protected, he is to return to Quebec, detaching Burgoyne with such portion of the army as can be spared to carry on operations to assist the army acting on the side of New York. 88

August 22, Whitehall. Same to the same (No. 6). The commission of Quarter Master General to Major Carleton confirmed. Christie to return to Britain, where he will be promoted. 90

August 22, Whitehall. Same to the same (No. 7). Presents sent out to be used to attach the Indians. Hey does not go out; Livius is promoted to be Chief Justice; Southouse is made a judge, and Monk, now Solicitor General of Nova Scotia, succeeds him as Attorney-General. A new warrant has been issued, appointing Owen judge at Montreal, instead of Detroit, which had been made in error. Sends intercepted letters from Bendfield & Co., Montreal, showing the services they had proposed to render to the rebels. 92

Enclosed. Letters to Quarles Harris and to Curson & Seton, dated respectively Montreal, 26th January, 1776, by J. & A. Bendfield; one from Philadelphia by John Bendfield, dated 9th March, showing their design to supply the rebels with provisions, &c.; one from the same to Walls & Maskelyne, Bristol, dated 4th February, on the same subject. 94 to 101

August 31, Montreal. Dr. Robert Knox to Germain. The good state of health enjoyed by the troops. The brigade of Grenadiers, light infantry and 24th Regiment has had a good deal of flux and some marsh fever, but few deaths, the encampments at St. John's and Isle aux Noix being the causes, as they are on swampy ground. Medicines required. Wishes to return to Europe. 174

August 29 and September 2, Detroit. Lieut.-Governor Hamilton to Dartmouth. Had arrived the previous November (9th November, 1775). Had taken steps to repair the vessels; repairs tothe fort went on slowly, there being only two companies of the 8th Regiment, want of provisions preventing the employment of the country people. The consumption due to the Indians and militia employed to reinforce the vessels. A vessel has arrived with provisions in the Detroit River; expected here to-morrow. Contract for fresh provisions signed in July. Describes the defensive works. The Virginians have been tampering with the Indians and threatened to attack the post, but they have not been successful with the former or undertaken the latter. Cannot yet give any but a general idea of the settlement. The industry and enterprise of European traders far outgo those of the Canadians. The navigation of the lakes in large vessels is all in the hands of the new settlers. Describes the characteristics of the Canadians; the fertility of the soil; the salubrity of the climate, &c., and the little advantage hitherto derived from all the sources at the command of the inhabitants. There are 1,500 white settlers living on the borders of the straight; their mode of living, of farming, &c. How he (Hamilton) got through the rebels. The unmoved temper and firmness of Carleton,

1778.

though deserted by the most ungrateful race under the sun. Remarl on the Indian trade and the abuses that exist, with suggestions for the removal or mitigation. Account of an Indian Council upon some bel sent to the Shawanese by the Virginians, the result being unfavourab to the latter. He (Hamilton) tore the messages, letters and speeches the Virginians and cut their belts to pieces in the presence of two hu dred Indian deputies. He had advised them to keep watch on tl enemy's movements, and if the Virginians attacked them he would sen word to the whole Confederacy, so that if one were attacked there wou be a united resistance. Expects to hear of attacks on the scattered se tlers, a deplorable sort of war, but which the conduct of the Virginia has justly drawn upon them. The rest of the letter is of a person character, except the P.S., dated the 2nd September. Arrival of tl "Gage" with provisions for Michilimakinak and this post. An Englis man, a Delaware Chief, called Captain White Eyes, and with them o Montour, educated at Williamsburg, but a savage, had the insolence bring a letter, a string and a belt from the agent of the Virginian Co gress to the Confederacy of Western Indians to go to a Council at Pitt burgh. Had torn their letter and cut their belt in presence of the India and sent them off, telling them that only their quality of messenge protected them, but that they must leave the settlement without dela They had a Pennsylvanian *Gazette* of the 25th July, containing a decl ration that the Colonies had thrown off all dependence on the Moth Country. The Indian Council finished, the Indians leaving well please Chiefs and warriors from different tribes (named) leave by the "Gage to join the Six Nations at Niagara. Their inclination is for war, but hopes the eyes of the Colonists will be opened before the cloud burs Montour could not help being with the other two; he brought a belt friendship to the King from the Delaware Nation. Page 2

September 12, Chambly. G. Williams to Germain. Sends journal of the state of ordnan stores, &c. Had hoped to have been at Crown Point before this; did n despair, but it would be tight work. 1

Journal of ordnance stores received, sent out, &c. 1

September 20, Quebec. Sam. Willoc to Germain. Arrival of all the fleet, except one Dut ship with above 300 men on board; 130 men have been sent to the h pital with scurvy. Berner's regiment proceeded up the river th morning; the rest to follow to-morrow. The army at St. John's is embark on the 22nd. 1

September 28, Chambly. Carleton to the same. Feels honoured by His Majesty's notice. answer to his (Germain's) regret at insufficient information being se the object at the time of writing was the expulsion of the rebels fr the Province, which was done long before any instructions could ha been received. The next operation was to establish a naval force Lake Champlain, to command the navigation of the lake and enable hi to pursue the rebels into their own Provinces, and he could in this expe no assistance from His Lordship, had it been required in the letter ref red to. But he did expect flat-bottomed boats sent out ready to be p together, as Pringle had been instructed to urge this and had done when in London. Only 10 flat-bottomed boats, and materials for bui ing 14 more, have yet arrived. The others, he presumes, have eith fallen into the hands of the rebels or are detained by the long-continu westerly winds. Defensive works nearly finished, owing to the servic of Major General Phillips and to the assistance of Captains Douglas a Pringle, Lieutenants Dacres and Shanks and other officers, besides t sailors of the navy and the masters and men of the transports. Pring is to command the fleet; the rebels have a considerable naval force the entrance of the lake. Hopes for success should they come to actio

1776.

Is afraid from the lateness of the season that he can do no more than draw off attention from Howe. It is reported that the rebels had fortified Crown Point, leaving there 800 men, and had taken measures to assemble 9,000 to 10,000 at Ticonderoga. There is nothing to fear from the Canadians, so long as things are in a state of prosperity; nothing to hope for from them when in distress. There are some of them who are guided by sentiments of honour; the multitude is influenced by hopes of gain, or fear of punishment. For his opinions respecting the Canadians and how much they may be depended on, he refers to previous letters, in writing which he had always a war of this kind in view; has not now any reason to change his opinion on the matter. Arrival of the second division of Brunswick troops, except about half of Specht's regiment. Those arrived are on the march, and should be at St. John's about the middle of October. Page 188

State of the naval force at and near St. John's. 193

Naval force of the rebels on Lake Champlain. 194

September 29, Deschambault — Sam. Willoc to Germain. The transport, which parted from the fleet in July, has arrived at Bic. Owing to westerly winds the troops landed at Quebec, and are so far on their way to St. John's. Asks for continuance of his employment and for promotion. 186

October 6, Quebec. — Cramahé to the same. Is sending 17 deserters, who have chosen to serve in Africa, rather than stand a court martial. Carleton at Isle aux Noix; the last vessel launched on the 30th ult.; the whole intended to be put in motion by the 3rd or 4th. The transport with the last of the Brunswick troops has arrived; the "Howe," armed ship, has arrived in the basin. Sends copy of address to Carleton and his answer to be laid before the King. 195

Enclosed. Address to Carleton from Montreal. 197

Reply. 199

Engagement signed by deserters to serve for life in Africa, and decision of three deserters to be tried by court martial. 201

October 14, "Maria" off Crown Point. — Carleton to Germain (No. 13). The rebel fleet entirely defeated in two actions on the 11th and 13th inst. Waterbury, second in command, captured with a Brigadier General and two vessels; ten others burned and destroyed; only three out of 15 sail have escaped. Lieut. Dacres, who carries this, will give further particulars; his gallant behaviour in the "Carleton" schooner; recommends him to favour. The good services of the officers and men of the artillery who served the gun boats, which, with the "Carleton," sustained for many hours the whole fire of the enemy, the others being unable to work up near enough to take part. The rebels set fire to all the buildings about Crown Point and retired to Ticonderoga. Owing to the advanced season, does not know whether anything further can be done at present. 224

List of rebel vessels on Lake Champlain before their defeat, with note of their fate. 226

October 18, Chambly. — Willoc to Germain. Reported actions on Lake Champlain (see p. 224). Had continued the march since last writing (p. 186), and encamped here on the 13th with the battalions of Rhetz and Specht; the corps of Chasseurs and light cavalry are advanced to St. John's, where are also two British regiments. The rest of the army is with Carleton. Sends return of the second division of Brunswick troops. 234

Return referred to. 235

October 22, Quebec. — Cramahé to Germain. Has been desired by Carleton to send duplicates of letters, which he (Carleton) had not had time to forward. Cannot find the strength of the two fleets referred to. 228

1776.
October 28, Quebec. Cramahé to Germain. Sends duplicate of the state of the rebel na force upon Lake Champlain, the original (p. 226) sent by Lieuten Dacres. Page

October 31, Quebec. Same to the same. Forwards letter from Mr. Sullivan, a captain in rebel army, to his brother, a general amongst them.

The letter is signed "Ebonezer Sullivan," and dated Montreal, 1 August. He states that he and the other hostages are well. He is s prised that they are not redeemed according to cartel, and that besi the refusal, Congress has demanded Captain Forster, to answer what it is pleased to term the massacre of the Cedars. Congress co not have so acted but from wrong information. He calls God to w ness that no living man could have acted with more humanity t Captain Forster, and that whoever says to the contrary is an ene to peace and a fallacious disturber of mankind. He cannot imag what reason can be assigned for not redeeming the hostages. Had affair of the Cedars been really a massacre, Congress should rather deem the hostages than leave them in the hands of so merciless enemy. Does Congress regard the troops no longer than whilst they victorious? The evil effect of such a policy, which will turn prisoners and their friends against the Congress and expose Colonies to ruin by division. "If we were in the hands of a rigor power, as they have wrongly represented, have they not (after so en mous a breach of faith) every colour of justice, loadened with chain some horrid dungeon, to tell us to languish out our days under a sente passed by our own people? If you suspect I write this for the sake getting my own liberty, your suspicion wrongs me; it is not my c confinement but the breach of a treaty, which even the savages h ever held sacred, that causes me to write."

November 10, Montreal. Deschambault to Germain (in French). Calls attention to previ letters and urges his claims on the Court of France, for which he co get no satisfaction. His zeal in the King's service during the con with the Bostonians. The abilities of Carleton, to whose firmn the country owes it safety. He (Deschambault) had been twice mad prisoner by the Bostonians. Had sent Carleton a plan for raising militia; enters into details on this subject and points out the bene that would be derived from his plan, and how the militia might be ciplined, &c.

Enclosed. Memorial from Deschambault to Germain, dated October, respecting the losses he has sustained, &c.

November 17, Quebec. Carleton to Germain (No. 15, should probably be 14). Had state his letter of the 22nd October, that the army must winter in Can The two brigades set out on the 2nd instant, and are now, toget with the rest of the troops, either in, or on the march to their quart Parties, some with arms, had come in at Crown Point for refu These he had joined to Sir John Johnson's corps. Was applied to the issue of a proclamation of amnesty; having no instructions, he not issue it, but pointed out that his own conduct might be an surance. No irregularities have been committed among these unha wretches, even by the savages. Has had no word from Howe, excep letter asking for hay and oats. It was dated the day before an act was said to have taken place at Long Island, though the vessel wh brought the letter and a commissary did not sail for twelve d after.

November 20, Quebec. Same to the same (No. 15, see previous letter). Address of British inhabitants of Quebec contains such sentiments, that he send to be laid before the Throne. The behaviour during the winter of th who signed it shows their sincerity.

1776.
Address, dated 15th November. Page 239

December 9, Portsmouth. Burgoyne to Germain. As he cannot reach London at a reasonable time, he will rest on the road and only sends a line to announce his arrival and intention to wait on His Lordship at noon to-morrow. Employment being over for the Winter in Canada, he had returned to England on account of his own health and the King's service. Carleton had agreed, and also sent by him his ideas for the next campaign. 247

CORRESPONDENCE BETWEEN GOV. CARLETON, GEN. BURGOYNE AND LORD GEORGE GERMAIN—1777.

Q. 13.

1776.
November 1, St. John's. Major General Phillips to Carleton, respecting the utility of a supply of gun boats, as shown by the late expedition on Lake Champlain; with note of the most useful sizes and armaments. Page 22

November 1. Winter quarters for the British troops, ordered by His Excellency the Commander-in-Chief. 26

December 1, Quebec. Carleton to Germain (No. 17.) Respecting the accounts of the German troops, pay for whom had been charged on the full number, although several had died in each regiment. Had written to Riedesel and encloses his letters. 41

Enclosed. Riedesel's explanation of the method of keeping the accounts of the German regiments. 42

Letter by Jacob Jordan, dated 29th November, 1776, on the same subject. 46

No date. Memoranda by Daniel Claus, Indian Superintendent, of the rebel invasion of Canada in 1775. 48

1777.
January 1, London. Burgoyne to Germain. Has been ordered to Bath for his health, but shall be ready to come to London when wanted. Had communicated his intention to the King and offered himself for active service. Asks his (Germain's) support. Has left Carleton's memoranda in the hands of Mr. D'Oily; application for boats for artillery; return of winter quarters, &c. 1

Memoranda of Carleton relative to the next campaign, communicated to Burgoyne to be laid before Germain. 3

Memoranda and observations relative to the service in Canada, submitted to Lord George Germain by Carleton. (These cover 18 pages). 4

January 20, Whitehall. Germain to Burgoyne. It is reported that the goods sent for Indian presents had been much complained of, and that Carleton had sent an order to Brook Watson for a large supply. As he (Germain) had received no letter on the subject from Carleton, desires to know if it is referred to in the memoranda. 39

January 21, London. Burgoyne to Germain. That there is nothing in the memoranda about the Indian presents. Had had a personal inspection of those sent by the Treasury, many of which were unsuitable for the purpose. 40

February 19, Whitehall. Germain to Carleton (No. 8). The 7th Regiment having arrived at New York, hopes that Major Campbell may be able to come to Canada to take the superintendence of the Indians. Claus is sent out to Canada to take charge of the Indians in other operations. His services and qualifications. 57

February 28, London. Thoughts, by Burgoyne, for conducting the war from the side of Canada. 28

March 2, Illinois. Extract of letter from Richard McCarty. Report in October that a Bostonian bateau had passed with 50 men for New Orleans from Fort

1777.

Pitt. Rumour in January of the arrival of two Englishmen and tw
Frenchmen with a large packet of letters from Mr. Cruzat, the Spanis
Governor and that New Orleans was in the hands of the Bostonian
The Spanish Governor at St. Louis had heard nothing of it, so the repo
died out, but was renewed in February. Had written to Rocheblave, wh
sent a variety of rumours, amounting to this, that one bateau had passe
loaded with powder, but where bound was not known, as no one in th
Spanish village was allowed to speak to the men, who hired a man
conduct them to Fort Pitt. The Indians seem stunned with the conflic
ing reports. Attack by Pottowatomies on five English hunters; one
the Indians killed and another wounded; the rest got off. A few day
after some of the same nation went to St. Louis to trade and the Spanis
Governor threatened them for attacking the hunters, as the English an
Spanish had adopted the French, and to attack one was to attack all.

Page 2

March 15. Report on the missions of the "Unitas Fratrum" in Labrador, fro
September, 1775, to October, 1776.

March 24, Whitehall. Germain to Carleton (No. 9). Letter of 10th August, 1776, an
enclosures received, as well as that of 28th September. The King
approbation of the different services.

March 26, Whitehall. Same to the same. (Separate). Sends letter of the 22nd Augus
1776, which was prevented from reaching by the ship in which Capta
LeMaistre sailed, being driven back three times. It contains instru
tions for his operations after having driven the rebels from the frontie
of Canada. Was mortified to learn that on his (Carleton's) repassin
Lake Champlain the rebels had taken the opportunity to attack Howe
winter quarters. For this reason, and to quell the rebellion, 3,000 m
are left in his command for the defence of the Province; the rest are
be sent on two expeditions, one under Burgoyne, the other under S
Leger. He is to try to furnish both expeditions with good bodies
Canadians and Indians. Further instructions respecting the expedition
the number of troops, &c.

March 26, Whitehall. Same to the same (No. 10). His letter announcing the defeat of th
rebel fleet received; Lieut. Dacres presented to the King, &c.

March 26, Whitehall. Same to the same (No. 11). Had received his letters and memoran
from Burgoyne; his ideas relative to 3,000 seamen sent to the Earl
Sandwich.

March 26, Whitehall. Same to the same (No. 12). Letters of the 17th and 20th Novemb
received. The King approves of his answer to the request for
proclamation of amnesty. His gratification at the address from th
British inhabitants of Quebec.

March 26, Whitehall. Same to the same (No. 13). Letter of 8th July, 1776, received. Th
report by Sir John Johnson is sufficient to induce him to raise a battalio
on the frontier. The King approves of this, and of giving the comman
to Sir John Johnson. The corps raised by Maclean is not put on th
establishment, but he and his officers shall receive marks of roy
favour.

March 26, Whitehall. Same to the same (No. 14). The proposal made by Lieut. Governo
Hamilton for a diversion on the frontiers of Virginia and Pennsylvani
How the Indians may be used. Hamilton to collect as many as he ca
and place proper persons at their head; all loyal subjects to be invit
to join, to receive pay and allowances, and 200 acres at the close of th
war. The operations Hamilton may conduct will divide the attentio
of the rebels and tend to weaken their main army. Presents sent. Li
of persons on the frontiers of Virginia recommended by Lord Dunmo
for their loyalty.

1777.
March 26, Whitehall. Germain to Carleton (No. 15). The "Lord Shuldham," with Indian presents, having failed to get up the river to Quebec, is ordered to New York, he (Carleton) having already sent orders for a fresh supply. Those for New York are to be taken charge of by Guy Johnson. Arrangements about the office of Clerk of the Crown and Pleas, for which Mr. Gordon had received a warrant. The delays that would be caused by the abolition of fees in the courts of justice, but they might be greatly lessened. The Lords of Trade will inform him how the vacancies in the Legislative Council are to be filled up. Page 90

March 26, Whitehall. Same to the same (No. 16). Arrangement for the subsistence of the foreign troops. Dr. Knox has been appointed Inspector General of the army hospitals. 93

Carleton's correspondence with Burgoyne, St. Leger and Phillips, together with orders and instructions respecting the expedition, under Burgoyne, in the months of April, May and June, will be found in the list following Carleton's letter to Germain, of 26th June.

April 2, Montreal. Major Williams to Germain. Sends list of the armament for Lake Champlain. It is said that the troops are to begin with the siege of Ticonderoga; doubts if the rebels will stand when they see the King's troops, who are very determined; The troops surprisingly healthy. This has been the finest winter he ever beheld. Has wintered with three companies of British and one of Hanau artillery; does not expect to move for a month or six weeks. Asks that the King should do something for him. 171

Enclosed. List of ships and boats under the command of Major Williams and Captain Lutwidge on Lake Champlain for this year (1777). 173

April 7, Fort Pitt. "The United American States to their brethren, the Delawares, at Kaskaskias." Message signed by George Morgan. 262

April 12, Michilimakinak. De Peyster to Carleton. Had been able owing to the season, to send off provisions to meet Langlade's Indians at Labaye. The Indians all well inclined; the only fear is that as all wish to go down, those who are prevented will take it ill. 312

April 16, Berthier. Baron de Gall to the same (in French). Sending a packet for transmission. 95

April 18, Three Rivers. Willoc to Germain. The winter is over; the army in fine order and high spirits; hopes soon to see measures pursued to put an end to the rebellion. The German troops healthy and anxious to distinguish themselves; encloses return of their present state. 175

Return (in French) of German troops under Riedesel. 176

April 20, Three Rivers. Riedesel to Germain (in French.) Congratulations on the general success of affairs in America. His contribution towards this is to execute blindly the orders of the General-in-chief and to maintain harmony between the national and auxiliary troops, in which he has succeeded. The auxiliary troops are in good condition, in good health and have good will. There is only one man in hospital. Has the most flattering idea of approaching success. If Sir Guy Carleton and he (Germain) are content, he shall be satisfied. P. S. of 8th May. Had received his (Germain's) letter by the hands of Burgoyne, who arrived the day before yesterday at Quebec; the expression of contentment with his services has overjoyed him; he shall do all in his power to retain this good opinion. Sends return (see p. 176, the return sent by Willoc). 177

May 4, Miamis. Lieut. Governor Abbott to Carleton. Had arrived on the 30th. Deputation of inhabitants of Vincennes and 36 Indians of the Wabash waiting his arrival. The unanimity in the King's interest of these Indians, although hostile Indians had been among them. Reports of rebels at Pittsburgh, with bateaux built and building for an attack on the upper

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posts. There are here about 500 Indians; he shall get across the portage with the utmost dispatch, as there is no end to the demands of the Indians. Hopes to arrive at Vincennes in twelve days. (Called St Vincennes in the letter). Page 310

May 6, Quebec. Carleton to Germain (No. 18). Dispatches received. Sends copies of ordinances; the spirit in which they have been framed. There is no doubt but that the Canadians may again be reduced to that spirit of obedience they paid to their ancient government, but it will be a work of time, and until firmly accomplished will require a military force to support the civil authority. The noblesse, clergy and greater part of the bourgeoisie have given every assistance, but the chief dependence towards securing subordination must be on His Majesty's Ministers, to assist the efforts of the provincial administration. Remarks on the ordinances. The exportation of live stock has been prohibited for this year and of corn, flour and biscuits till the victuallers arrive. A list sent of the principal leaders of sedition; there are still too many remaining who have the same inclination but they act with more caution. 96

Enclosed. Plan for the establishment of a Chamber of Commerce for the city and district of Quebec. 99

List of ordinances passed in the Legislative Council from January to April, 1777. 103

List of principal persons settled in the Province who zealously served the rebels and fled on their quitting it. 106

May 11, Detroit. Hamilton to Carleton. Indians arrived from the wintering; they are quiet and give assurances of acting as required. Shall detain them after their meeting till he shall receive instructions as to their management. Delawares wavering; the means taken to secure them. King's vessels on these lakes repaired; timber for the new one cut, but naval stores and iron are wanting to build. On their arrival, no time shall be lost to build and equip her. 273

May 12, Montreal. Phillips to Germain, Has received letter sent by the hands of Burgoyne. Thanks for his (Germain's) favourable report of him to the King. Burgoyne will send an account of the army. Hopes that this year will end the American troubles. Respecting his own position. 167

May 14, Quebec. Burgoyne to the same. Had arrived on the 6th instant. Being under a superior officer, an official correspondence is unnecessary, but he may write confidentially. The preparations have been pushed forward for next campaign; provisions sent to Chambly and St. John's; a victualler arrived last November, so that he is in hopes to cross Lake Champlain without waiting for the Cork fleet. Hopes to have artillery stores enough to try the enemy at Ticonderoga, but should great artillery operations be necessary, he will be obliged to wait at Crown Point for ordnance from England. A good body of Indians ready; cannot say so much for the military assistance from the Canadians; there are yet only three independent companies, of 100 men each, raised and under the command of the seigniors, but they have not been able to engage many volunteers, the men being chiefly draughted from the militia. Those he has seen afford no promise of use in arms, being awkward, ignorant and disinclined for service. This change is due, he believes, to the unpopularity of the seigniors and the poison thrown into their minds by the rebel emissaries. Should he find the companies up the country better disposed, he shall move Carleton to augment the number. The army will fall short of the strength computed and want of supplies will cause inconvenience, but he is nevertheless determined to put in motion the troops destined for his command. Has arranged with Carleton and with Lutwidge, who commands on the lake, and shall proceed this afternoon to Montreal and thence to execute the King's orders. His high estimat

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of Carleton; it is easy to see he wished to command the military operations out of the province, but his deference to His Majesty's decision and his zeal to give effect to the measures in his (Burgoyne's) hands are equally evident. Page 107

May 16. Speeches of the Bostonians and a French general to the Six Nations, delivered by two Onondagos at Kayingwarestos village in the Snake Country, brought from Boston by the Oneidas. 266

May 19, Montreal. Burgoyne to Germain. The hopes expressed in a previous letter (p. 107) of being able to put the troops in motion before the arrival of the fleet had been confirmed; the only delay arose from the state of the roads, owing to heavy rains, and this will be removed by the services of the parishes when the weather clears. In the meantime is using every means, so far as water carriage will admit, to draw the troops to their point. Trusts there may be vessels enough to move the army and stores together; in that case he will take post at once at Ticonderoga, using Crown Point only for hospital and magazines. The design of the enemy is to defend Ticonderoga vigorously. Row galleys are being built at Fort George to defend that lake and the road to Skenesborough is being fortified. The New England Colonies are to supply men and provisions to oppose his advance, on condition of being exempted from supplying Washington's main army. His intention to alarm Connecticut may make the forces of that province cautious of leaving the frontier, so as to give him a start for Albany. He shall make no movement that can procrastinate the object of his orders. 169

May 20, Quebec. Carleton to the same (No. 19). In answer to Germain's letter of 22nd August, 1776, duplicate of which was sent on the 26th March, 1777, defending himself against charges insinuated in that letter. (This letter from Carleton was printed in full in report on Archives for 1885, Note D). 111

Enclosed. Intelligence brought at different times. 121

The information of Patrick Langan respecting Ticonderoga. 125

Sworn information of Samuel Adams, concerning the different posts, fortifications, &c., in and about Ticonderoga. 127

Letters from John Butler. One for leave to raise a corps of rangers; the other that a treaty has been made with the Six Nations. 131

Examination of prisoners taken by Indians under Mackay, sent on a scout to Ticonderoga. 134

Captain Mackay's report, dated Montreal, 31st March. (In the form of a journal.) 142

A true description of the situation of Ticonderoga, with an exact account of its fortifications, the number of forces, &c. 147

Extracts of letters from the upper posts respecting the Indians. 151

May 20, Quebec. Cramahé to Knox. Letters received. Clothing forwarded to Riedesel at Three Rivers. 166

May 22, Quebec. Carleton to Germain. Points out that amongst the troops selected for the defence of Canada, the detachment from the Brunswick and British regiments, amounting to 950 men, are the sick, infirm and such as regiments usually disburden themselves of; that the additional companies are to recruit the army and their officers to return home before winter. The battalion which has the guard of the upper posts has had 100 chosen men draughted from it; the three old battalions are deprived of their grenadiers and light infantry, besides 100 of their best men sent off. Maclean's alone remains untouched. The feeble state to which Canada will be reduced. Hopes Howe will take measures to protect it. He (Carleton) would have left still fewer troops behind, had he been entrusted, as before, with discretionary power, but as he would have gone to Ticonderoga, he would have had his eye constantly on Canada,

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and been ready to throw in troops. His Lordship has complimented hi
on his influence with the Canadians and Indians; but that was lessene
by the reports that when His Lordship was announced as Minister, h
intention was to remove him (Carleton) from command, and, in th
meantime, to render it as irksome as possible, by every kind of sligh
disregard and censure, occasion and events might render plausible. Th
removal might have taken place without public evil, but the syste
chosen strikes at the King's government. The danger arising from th
indulgence of private resentments by a Secretary of State, and the caba
encouraged by his protection are pointed out. It is now pretty generall
believed that the surest way to obtain favour from His Lordship an
support from his selected friends, is to promote opposition here an
forward materials for the same business at home. Page 13

May 23, Quebec. Carleton to Germain (No. 21). Agrees as to the good policy
rewarding those who have preserved their fidelity and of punishing tho
who have forsaken their allegiance, as stated in his (Germain's) lette
After mentioning the appointment of Livius and others to judicial po
tions, the letter says: "Your Lordship has turned out of their employme
two men of abilities and good character. Mr. Grant has acted
Attorney General ever since Mr. Kneller left the Province; and M
Fraser, as Judge of the Common Pleas at Montreal, ever since the fir
establishment of the Civil Courts of Justice in 1764. These gentleme
have both exposed their lives more than once to oppose rebellion; M
Fraser, for the same cause, has suffered in his property, been personall
insulted, and is still detained a prisoner by the rebels. The power
have not; I am at a loss to know, after the fate of these gentlemen, ho
I can even talk of rewarding those who have preserved their loyalt
without an appearance of mockery. Of this you may be assured, th
such things will occasion no small exultation among the King
enemies." 16

May 24, Quebec. Same to the same (No. 22). Owing to the infirm health of Mr. S
Ours, he would regard it as a mark of the royal favour were his so
Roque St. Ours, appointed to the Legislative Council in his room. 16

May 25, Quebec. Same to the same (No. 23). The army has been joined at Crown Poi
by loyal inhabitants, whose number is increasing. Nearly 100 arrive
under the conduct of Mr. Jessop, of the Province of New York, his broth
and several other men of note from the neighbourhood of Alban
They have all been sent to join Sir John Johnson, but have asked not
be draughted into his corps, as they are from a different part of th
country. They have been clothed, armed and arranged as privates, no
commissioned officers and officers. McDonald, a captain in Maclea
corps, has arrived with 100 men from the Province of New York, pa
for his own corps, part for Sir John Johnson's. Arrival of the "Tartar
with several of last year's victuallers. The Canadian gentlemen take
at St. John's have been returned by this opportunity. Colonel Macle
has also arrived. 1

June 4, Michilimakinak. DePeyster to Carleton. Langlade has arrived with 60 Indians fro
Labaye; fears that the others he expects will be too late; has complet
him here with the number required. Report that Spanish agents ha
been amongst their neighbours, which makes it more difficult to g
them to move, owing to their curiosity and fear, as they are all w
inclined. 3

June 6, Michilimakinak. Same to the same. After Langlade's departure an express has co
from Ducharme, Milwaukee, that Chief Siginakee has received a par
from the Spanish Governor, to raise all the Indians between the Miss
sippi and the little Detroit of Labaye. Is sensible that the Engli
traders can undersell the Spaniards, who flatter themselves, howeve

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with gaining the advantage during the troubles, although a letter from a trader confirms the belief that the Spaniards rather favour the English traders. Ducharme is to be on the look out and come off from Milwaukee should anything happen to require it. Arrival of a band of strange Indians, fine looking men, without women or children; they decline going down the country, but proffer the greatest friendship. Langlade has left his papers; when they can be arranged into an account they shall be sent. The 2,776 livres have been paid him. He wants looking after; he is strictly honest, but retains all the French customs, and can refuse the Indians nothing they ask, and they will lose nothing for want of asking. The presents Langlade brought for the Menominies he thinks were pillaged at Montreal; shall have them examined; there are more than they deserve. Page 273

June 13, Michilimakinak. DePeyster to Carleton. Arrival of 15 Pottawatomies from St. Joseph since Langlade left; they are all chiefs or sons of chiefs; has sent them down in charge of Chevalier, a man spoken ill of at Detroit, but he had better be caressed than otherwise. An Iroquois, a good subject, conducts them to Montreal; his good record. At another time the Pottawatomies would require a good let down for past and recent offences, but at present no nation requires more tender treatment. Must hurry off Gaultier with the Sauks and Renards, just arrived; a meeting with the others would be rather inconvenient. 327

June 15, Niagara. Butler to the same. Meeting with the Six Nations and their allies; they expressed satisfaction at having an opportunity of showing their friendship. Has sent runners to the Indian country to collect warriors, and to Hay at Detroit for a body of Western Indians. He himself will join the expedition and take charge of the Indians. His suggestion as to his own rank and pay, and those of the other Indian officers, as desired by him (Carleton). Sends list of rangers, the command of whom he requests may be granted to his son, Walter Butler. Recommends William Caldwell, the bearer of this letter. 317

List of officers in the Indian department, with their rank and pay. 329

List of rangers. 331

June 15, Detroit. Hamilton to Carleton. Indians (named) have come, and are to meet in Council on Tuesday next. Will keep them as long as possible awaiting orders. Can assemble 1,000 in three weeks, even if the majority should return home. 342

June 16, Niagara. Butler to the same. Arrival of Delawares from the Susquehanna, with a mulatto prisoner taken near Wyoming. Howe had driven Washington across the Delaware; he is fortifying a camp near Bethlehem. The rebels are entrenching the old fort, called Bull's Fort, on Wood Creek, about four miles below Fort Stanwix. Has appointed Edward Smith his secretary. 320

June 16, Niagara. Lernoult to the same. Will take care that only vessels employed and armed by His Majesty shall navigate the lakes. The detachment is ready to march and obey the orders given by St. Leger. Bolton intends to join the corps, so he (Lernoult) shall go with this detachment on the expedition. Will do his utmost to collect Indians for St. Leger; has no doubt the greater part will enter heartily into the cause. Sends down a negro prisoner brought by the Delawares for acting as a spy in their village; also Randolph Fox, who came in for protection and tried to escape when the Delawares came in, as they knew him for a rebel. 322

June 17, Montreal. Petition (in French) by the citizens of Montreal in favour of John Fraser for the office of judge. 276

The petition in English of same date and to the same effect. 301

June 17, Michilimakinak. DePeyster to Carleton. Arrival of Sauks and Renards under the command of Gaultier. The good report of Gaultier's influence with the

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Indians, even from his enemies. His industry to stop the rebel belt and divert that of the Spaniard shows that, though imprudent, he is still a good subject. The Indians say they cannot do without him, as he speaks their language. Truth of the report that the rebels had drawn two bateau loads of powder from the Mississippi by the Wabash. The rebel belt was forwarded from Detroit by an Ottawa chief, and the Spanish belt was in the hands of Hubert, an inhabitant of New Orleans, who was opposed by Gaultier and several Indian traders. The nature of the belt is still a secret; Hubert's story of its meaning. Page 324

ane 20, Montreal. Memorial of Major John Campbell, Superintendent of Indian Affairs in Quebec, for the appointment of a deputy, and that he (Campbell) should be promoted to the rank of Lieutenant Colonel in the army. 279

June 21, Camp at River Bouquet. Speech by Burgoyne to the Indians in Congress and their answer. 291

June 22, Camp upon the River Bouquet. Burgoyne to Germain. States the substance of previous letters. The object of passing Lake Champlain has been invariably pursued. The difficulties of advancing (given in detail.) Ticonderoga to be defended under the command of a Major General Sinclair, formerly in the King's service. There are three brigadiers, one of them named LaClose, formerly a lieutenant colonel in the French service, besides a French engineer; the force is about 4,500 men. The cordiality of the Indians 500 have arrived, been feasted, and a detachment, supported by light infantry, has gone off to cut the communication by Connecticut, and to cover the reconnoitering of the country on the other side of Ticonderoga towards South Bay. His arrangements for intercepting the retreat of the enemy. The defection of the Canadians; their assistance will be little or nothing, and their numbers are daily reduced by desertion. Despairs of getting help for transport, cutting roads, &c. Has, on the other hand, hopes of two, perhaps three, battalions of loyalists from Hampshire, Skenesborough and Albany. Has emissaries in the heart of the Provinces for these levies, and thinks it probable useful troops will be obtained. No provision for horses for artillery, &c.; the necessity of a supply. Has entered into a contract for as small a number as can enable the army to move, trusting to the country for the rest. I trying the experiment of bringing them through the woods, swimming the small rivers, to meet the army at Ticonderoga. Arrival of most of the fleet at Quebec; the slow progress up the St. Lawrence and Sorel. 28

June 24, Camp at the River Bouquet. Proclamation to the Provinces by Burgoyne, countersigned by Robert Kingston, secretary. 28

June 26, Quebec. Carleton to Germain (No. 24). Had already stated that the troops ordered to be detached to serve under Burgoyne and St. Leger had been put under their respective commands. Burgoyne had left on the 17th part of his army having gone some time before; the last of it left St. John's on the 20th. Phillips serves on this expedition; all the troops are in high health and discipline. About 500 Indians of different tribes (named) have joined, but there is always an uncertainty in such a force. The Western Indians desire to join; 120 have just arrived, and will follow Burgoyne. Loyal inhabitants are waiting the arrival of the army to escape and take up arms; has furnished Burgoyne with blank commissions to form two corps, so that he may turn their disposition to public utility. St. Leger has begun his movement; the composition of his force. To give full information, so as to show the care taken in the anomalous position of an inferior officer being given a chief command transmits the orders he has given; sends duplicates of his letters and reports from the upper country. 18

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List of papers transmitted:

No. 1. Letter to Major General Phillips acquainting him of General Burgoyne's being appointed to command a detachment from the army, 8th April. Page 197

No. 2. To the same with the orders for the troops destined to serve under General Burgoyne to hold themselves in readiness to march and to obey such orders as they might receive from Lieut.-General Burgoyne, 12th May. 199

No. 3. Copy of the orders dated 10th May. 200

No. 4. To Lieut.-Colonel St. Leger, communicating to him the particulars of the detachment which was ordered to be put under his command, and directing him to order the party to be furnished from the 34th. 12th May. 200

No. 5. Circular letter to Colonels of Militia and Canadian Commissaries of transport, directing them to comply with such requisitions as should be made from Lieut.-General Burgoyne. 12th May. 203

No. 6. Letter to Captain Fraser, Assistant Superintendent of Indian Affairs, to receive Burgoyne's orders respecting the assembling of Indians. 13th May. 204

No. 7. Letter to Burgoyne enclosing orders to Bolton (commanding the 8th Regiment), Butler and the officer at Oswegatchie, relating to St. Leger's expedition. 19th May. 205

No. 8. Letter to Bolton (8th Regiment), commanding at Niagara, to order the detachment of his regiment to join St. Leger. He is to get as many Indians as possible to join the expedition and to consult with St. Leger as to the rendezvous for both troops and Indians. 18th May. 206

No. 9. Extract from letter to officer commanding at Oswegatchie, to give every possible assistance to St. Leger. 18th May. 208

No. 10. Letter to Butler, Assistant Indian Superintendent at Niagara to collect as many of the Six Nations and other Indians as possible to act in the cause of the King and to join St. Leger. The Provincials who have come to Niagara are to complete Sir John Johnson's corps and to be informed that those who take up arms are to receive 200 acres of land if they serve till the end of the war. 18th May. 209

No. 11. Letter to Captain Mackay, eldest officer of the three Canadian companies, directing him to obey Burgoyne's commands. 19th May. 211

No. 12. Letter from Burgoyne to Carleton, reporting desertion from the Canadian companies; proposing a further remedy than the Ordinances supply; Government expected large bodies of Canadians, or a larger proportion of regulars would have been sent; asks for a corvée of 1,000 men and for a number of horses and men to drive them. Asks for part of the staff to attend the expedition; reports the progress of his preparations, and enloses a letter from St. Leger. Montreal, 26th May. 212

Nos. 13 and 14. Lists of the Hospital and staff demanded by Burgoyne, to attend his expedition. 26th May. 217, 218

No. 15. Letter from St. Leger to Burgoyne, desiring certain information before he can advise as to the rendezvous. 25th May. 219

No. 16. Letter from Carleton to Burgoyne. Answer respecting Canadians and corvées. 29th May. 222

No. 17. Carleton to Burgoyne. Answer respecting St. Leger and the Hanau regiment. 28th May. 225

No. 18. Carleton to Cramahé, directing him to order a corvée as requested by Burgoyne. 9th June. 228

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No. 19. Burgoyne to Carleton, proposing to have horses supplied b contract for the service of the army. Montreal, 7th June. Page 23

Nos. 20 and 21. The proposals. 232-23

No. 22. Carleton's answer. Montreal, 7th June. 23

No. 23. Carleton to Burgoyne, accompanying instructions, being a extract from Lord George Germain's letter of 26th March; extrac from two letters from Lord Barrington, the one relating to the brig diers of the army under Burgoyne, the other to certain recruits of th 33rd, and a copy of a private letter from Sir Wm. Howe to Carleto 10th June. 23

Nos. 24 to 27. Copies of the instructions and other pape enclosed. 238 to 24

No. 28. Carleton to St. Leger, enclosing instructions, 10th June. 24

No 29. Instructions (see p. 78).

No. 30. Carleton to Burgoyne, desiring that the Canadians with h army be allowed to return home by the 1st November. 13th June. 24

No. 31. Burgoyne to Carleton, reporting desertions in the Canadia corps. St. John's 15th June. 24

No. 32. Carleton's answer. 17th June. 24

Nos. 33 and 34. Two letters from Phillips, requesting that the 29t and 31st Regiments and the Royal Emigrants with Brigadier Maclean a St. George Dupré, should be employed at places pointed out, particular one company at Pointe au Fer, to forward the transport of provisions Burgoyne's army. St. John, 17th June. 247-25

No. 35. Carleton's answer, with orders. 18th June. 25

No. 36. Orders. 25

No. 37. Phillips to Carleton, pressing the particular disposition the 29th regiment and for leave to place a company of the 31st Pointe au Fer, as before requested. 19th June. 25

No. 38. Carleton's answer, that the arrangement of the 29th wou be as he (Phillips) desired. Quebec, 26th June. 26

No. 39. Carleton to Burgoyne on the subject of contractors for th horses, having applied for an order for Canadians to attend his horse 26th June. 26

June 26, Niagara. Butler to Carleton. The rebels have been frustrated in the attem to draw the Six Nations to a Congress at Albany and Fort Pitt; the resolution and determination to continue firm in their fidelity. H ordered goods for clothing certain of the Indians. Had informed S Leger of the number of Indians that would join, so that he migh arrange for provisions. 3

June 27, Quebec. Carleton to Germain (No. 25). That he had judged Caldwell, Lo gueuil, Dufy and Baby fit persons for the council, but finding a sufficie number in the Province to proceed upon the business of legislation, had deferred nominating any, "as the delay could not prove so offe sive to them, or hurtful to the King's service, as after some time enjo ing the office, to find themselves turned out of their seats by your Lor ship and others set up, whom they might with some reason deem deser ing of little favour from the Crown." Besides, he was not sure how H Lordship wished to fashion the Council, nor the qualifications he desir in the candidates for his favour. Caldwell has now presented a *ma damus;* Drummond has another; Grant, Deputy Receiver General, also named; and the Board of Trade wait his recommendation for th other vacancy. By the death of M. Rigouville there are two, and recommended M. de Longueuil and M. Baby. Mr. Dufy being dead, shall add M. Lanaudière and M. Deschambault, though he sees a di position in His Lordship to overturn the late regulations; yet as th has not been notified, he recommends Canadians, that their proportio

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in the Council, formerly approved of, may be kept up. Finding he can no longer be of use to the King's service on this continent, either in a civil or military capacity, under His Lordship's administration, "on the contrary apprehending that I may occasion no small detriment to it, for all the marks of your Lordship's displeasure affect not me but the King's service and the tranquillity of his people; I, therefore, flatter myself I shall obtain his royal permission to return home this fall, the more so that from your first entrance into office, you began to prepare the minds of all men for this event, wisely foreseeing that under your Lordship's administration, it must certainly come to pass, and for my own part I do not think it just that the private enmity of the King's servants should add to the disturbances of his reign. For these reasons I shall embark with great satisfaction, still entertaining hopes and ardent wishes that after my departure you may adopt measures tending to promote the safety and tranquillity of this unfortunate Province; at least, that the dignity of the Crown may not appear beneath your Lordship's concern." Sends petition in favour of Mr. Fraser, lately superseded as judge by his Lordship. The inconvenience caused by judicial appointments of men who do not understand French. Page 297

June 28, Quebec. Carleton to Germain (No. 26). Has received circular respecting Mediterranean passes. No passes have been lodged here; before the troubles it was usual to get them from New York. Prior Orders-in-Council mentioned have not been received. 307

June 30, Quebec. William Gordon to———. Has received *mandamus* appointing him clerk of the Crown and Common Pleas. Had declined the latter office, as he did not wish to deprive the present occupant of it. His small salary as clerk of the Crown. Asks for leave of absence to come to England next summer on account of his health. (Probably addressed to Knox). 304

July 3, Quebec. Carleton to Germain (No. 27). Having received intelligence from the upper country differing from that sent on the 26th June, sends copies of the last letters. (The enclosed letters from Abbott, 4th May, and from Major de Peyster, 4th, 6th, 13th and 17th June, are calendered at their dates). 309

July 4, Quebec. Cramahé to Knox. Sends packets from General Specht and Captain Thomas of the Brunswick troops. 296

July 9, Quebec. Carleton to Germain (No. 28). Sends copies of letters from Niagara, respecting the assembling of the Indians. The character of Butler, which led to his being placed in command of the Indians before Claus brought His Lordship's letter. Claus is also sent up. The embarrassment caused by want of information respecting the arrangements in the Indian Department. Copies of letters from Major de Peyster sent; his prudence in dealing with the Indians. As much may be said of Captain Lernoult; though oldest captain, he could not purchase the majority and joins St. Leger in hopes to get promotion by merit. 314

July 10, Quebec. Same to the same (No. 29). Enters into explanations as to the ordinance respecting militia. Since Burgoyne's arrival, the number of militia called out being insufficient, encouragement was given to volunteers. St. Luc La Corne, Lanaudière and others assembled about 170 and joined the Western Indians under Campbell; those from the interior of the Province are led by Fraser. The supply of horses to Burgoyne; the corvée of 500 men for him gone off with a better grace than was expected. So soon as the transport is finished the number shall be increased. He will do everything possible to assist Burgoyne. These services are a burden on the people; explains the cause of the difficulties in the way of restoring the old usages, especially as he had been deprived of support by the appointment of an inferior officer to the

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command of this army. Desertions among the armed force; two men for each deserter ordered from the respective parishes. Encloses the opinion of the new Attorney General as to the legal proceedings in such cases. In 1775, he asked for no lawyer's opinion, but, having full confidence in the judgment of the Ministers then, he took the steps that were necessary without waiting for orders. The changed condition of affairs. Page 333

Enclosed. Opinion of Attorney General Monk, respecting the power to deal with deserters from the militia. 338

July 11, Skenesborough. Burgoyne to Germain. Account of his proceedings from the 30th June in the form of a journal. (This letter is in Burgoyne's "State of the Expedition," 1780). 345

List of the killed and wounded of the troops under the command of Burgoyne, from the 2nd to the 8th of July. 361-362

Return of the ordnance, shot and shells, &c., taken at Ticonderoga and Mount Independence, 6th July. 364

Return of ordnance taken and destroyed in the five armed vessels at Skenesborough, 6th July. 366

Return of provisions taken. 368

July 11, Skenesborough. Burgoyne to Germain (private). (Printed in the "State of the Expedition.") 369

July 12, Carrying Place, Lake George. Major Williams to the same. Sends returns of ordnance, &c., and a part of his journal, by which it would be seen he was hurrying to Lake George. Congratulations on recent success, the more so as he looked on the expedition to Canada to be of His Lordship's planning. Hopes the water service is over; the great fatigue it occasioned. The immense labour the rebels have gone through since last fall. The quantity of stores destroyed; the gunpowder so placed on Mount Independence as to prevent approach, owing to the constant explosions of the barrels containing it. 375

Journal from 1st January to 12th July. 377

Return of ordnance, &c., found at Ticonderoga and Mount Independence. 386

July 13, Quebec. Carleton to Germain (No. 30). Arrival of the rest of the Hanau Chasseurs, who have gone to join St. Leger. His Lordship being in immediate correspondence with Burgoyne, there is no need to trouble him with particulars of intelligence that the rebels had abandoned Ticonderoga. 340

July 15, Quebec. Same to the same (No. 31). Sends copies of letters from the upper country. 341

(These are calendared at their respective dates).

July 25, Whitehall. Germain to Carleton (No. 17). His dispatches received; the ordinances, &c., were sent to the Lords of Trade, who have considered them and made their report. In reference to the application of Mr. St. Ours, that his son should succeed him in the Legislative Council, the Lords of Trade report that although sorry to encourage expectations in the members of the Council that their sons would succeed them, as that would be to perpetuate the office in particular families, yet from his (Carleton's) recommendation and from the respectable situation and character of the family of St. Ours, Mr. Roque St. Ours has been recommended to succeed his father. Explains the reason for making the judicial appointments complained of (p. 160). Will take the first opportunity to recommend the two gentlemen named (Messrs. Grant and Fraser) for some mark of His Majesty's favour. 180

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July 25, Whitehall. Germain to Carleton (No. 18). In answer to the charge that he had been actuated by personal ill-feeling in his course towards Carleton. (Printed in full in report on Archives for 1885, Note D 2). Page 184

July 30, Fort Edward. Burgoyne to Germain (private). Nothing has happened to change his sentiments on the campaign. The policy of the enemy of driving the people and cattle before them may retard but cannot finally impede him. Its effect on the people is to drive them to escape and bring their cattle to his camp. The numbers claiming protection. Has been unable to communicate with Howe. St. Leger is at Deer Island. As he (Burgoyne) may be named to succeed Carleton, begs in advance to decline the appointment. The qualifications of Major-General Phillips. Prays for leave to return during the Winter, if not placed on a separate command, &c. 390

Lt. General Burgoyne's Expedition and Surrender at Saratoga—1777.

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April 15, Detroit. Abbott, Superintendent of Vincennes, to Carleton. Has delayed leaving for his post owing to the weather. Is anxious to be at his post to prevent the machinations of the enemy and hinder succour to them by the Mississippi; has no troops, but believes he can secure the help of the Indians. Asks for a garrison and provider. Mr. Baby has asked to be recommended to furnish provisions to the troops. Page 46

May 8, Fort Gage. Rocheblave to Hamilton (?) (in French). Has sent word to Abbott how his Catholic neighbours had tried to frustrate the measures adopted to stop by means of the Indians, the ammunition that was being conveyed by the rebels. His scheme to attack them by water leaving to the Indians he took with him the plunder in the boats attacked. The discouragement by means of reports spread by Bentley and by his practices upon a people attached to Government, but too timid and open to impressions. The evil effects of this. Has allowed Bentley to set out for Michillimakinak, where de Peyster can secure him, rather than to make an abortive attempt here. The hostile course taken by the Spanish. His dread of a deadly and expensive war in the back settlements of Canada. Has sent for the Kikapoos of the Illinois to check the Spaniards, and that he might give their chief a medal promised him. Thanks for letter and for goods, &c. Hopes that fault will not be found with him for the expense he has been obliged to incur. Asks him to examine Leblanc, a sailor, going to Detroit, and to report to the General. Sends information respecting Elliott, a spy for Morgan, who has been arrested at Detroit. Asks his influence with the General to take an interest in the fate of a reduced officer; his services, &c. 51

P. S.—Asks that Abbott be sent here (Fort Gage) so as to make arrangements for the safety of the two departments, and to take charge of the whole as in the time of Mr. Lord. If he (Rocheblave) can be useful to him he will remain, if not, he shall go elsewhere. Has commanded here for three years, during which time he only sent three or four people to gaol, now young men are sent there every day; the difficulties arising from conflicting systems of law. Asks for employment on the Illinois River to watch the Indians, who have not given admission to natural-born subjects. Believes no one will envy him. Had given letters of administration to Cerré of the estate of Castolon, deceased. The greatest part had been sent off already before the letter (from Hamilton?) reached. Cerré has been ordered to deliver the whole

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to de Peyster. The same offers made to the Renards as to t
Kikapoos, &c. Page

Declaration (in French) by Cerré that when at the Peorias on t
Illinois, he was told by one Mayet that he had heard the previo
winter of a message sent by Rocheblave to a Kikapoo chief, and th
the latter had handed it to Clear Sky (Temps Clair). That in a
swer to this which was an invitation to bring his young men, Clear Sk
refused to come, as he had gone last Winter to the Spanish governo
who told him of letters from the Bostonians, with proposals, &c., b
recommending neutrality on the part of the Indians.

May 26. Vincennes. Abbott to Carleton. Had arrived on the 19th. (The name of the pla
is written St. Vincennes). The anarchy there, no person representi
His Majesty having taken possession, but the inhabitants gave him
respectful reception. Description of the Wabash; the exorbitant d
mands of the Indians, to which he had to yield for want of troops. H
drawn for the expense and also in favour of Jean Baptiste Racine
St. Marie, who acted as commandant. The services of Edgar t
bearer of this letter. Sends note from Rocheblave, respecting the
tentions of the Spaniards. Recommends Ramsey. No proper dee
for the lands occupied; asks for orders. Wishes Edgar to be appoint
Commissary of Indian Affairs.

June 1, Fort Gage. Rocheblave to Hamilton (?) (in French). The bateaux have arriv
from New Orleans where they were delayed for want of powder, oc
sioned by its being carried off by the colonists. It is true that the form
governor had loaded a vessel with powder for the Colonies, but H
Majesty's ships had seized it. There is every appearance of a forei
war. Has here Delawares and other Indians (named). The last thr
are always hostile, and the Spaniards had sent them speeches. T
Delaware war chief goes to see him (Hamilton). That tribe see
friendly and has promised to prevent the passage of the colonists, shou
they make any attempt on the country. The cannon wanted will
sent off to-morrow; he offers to be at all times useful. It is desira
that he (Hamilton) should come here to see what is wanted, &c. Abo
60 French vessels expected, with the disbanded officers; the Spania
propose to increase their defences.

June 16. Detroit. Hamilton to Carleton. Acknowledges receipt of letters. His last l
ter was dated 10th May. This is in the form of a journal, chiefly rel
ing to the Indians.

June 17. Detroit. The same to Germain. Arrival of express with dispatches.
Indian council to assembly to-day (tribes named) to whom he would p
sent the war axe. Would to God that the storm about to fall on t
frontiers, would strike the guilty and pass by the many who must f
it. Will do all in his power to spread alarm and facilitate the esca
of the loyal. Sends extract of a letter from Rocheblave to Abbott
151). The effect of the intrigues of the rebels on the Indians may preve
Rocheblave from carrying out his designs. Rebels have sent down t
Ohio to the Spaniards for powder. Had desired Rocheblave to obt
the assistance of the Kikapoos in this matter. Bentley selling amm
nition to the rebels, but he proposes coming to Detroit with furs. H
determined to seize him and had written to Michillimakinak to the sa
effect. 23rd June. An intelligent Indian speaking English and several
dian languages, has been engaged o go to New York and the southward
inform the Commander-in Chief and Generals that various Indian tri
(named), have taken up the war-axe. He expects to arrive in 28 days a
has no token by which the enemy can obtain information, but will gi
ample proofs of his being authorized by him (Hamilton). His name
Montour. He has been given the commission of Captain, the same ra

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his father held during the last war. Sterling's papers seized and he sent to Quebec for trial; he is Bentley's correspondent. Some others have been seized; heads of accusation and deposition are sent to Quebec. Hopes to make a proper use of his power to raise men in this settlement; sends list of persons to command them; sends to Carleton his reasons for recommending them. Would select a light company from the militia to act with the Indians. Has ordered a dispatch boat and shall consult the chiefs as to carrying on the *petite guerre*. Will send belts and a hatchet to the nations of the Wabash as far as the Illinois. Chiefs of the nations sent to Niagara to show the Six Nations that they have taken up the axe. Shall send the minutes of the Indian council. No violence or theft committed by the Indians during their assembly. The need of a clerk and council room. The state of the fortifications puts them beyond the power of the Virginians; their plans diverted by waspish attacks on their frontiers. The cost of the force; he shall not be timid in respect to expenses, in carrying out the trust reposed in him. He expects to raise a useful body of chasseurs, officored by young men of the best French families; how they are to be armed. The intrigues of the Spaniards; offers his services to expel them. Would encourage Rocheblave in the hope of being Governor of New Orleans; his character. Is persuaded of Carleton's help, but has sent information direct to His Lordship to save time. Meeting of Ottawas; he has directed them to continue to receive presents from the Spaniards and some written token of their designs. By a letter from Abbott, he learns they are reinforcing the garrison at New Orleans; reduced French officers have had offers of being taken into their pay. Asks that pay for the troops at Detroit be sent in silver. Respecting Bentley and Sterling. The arrest of the latter has made some people alter their tone. Differences with Mompesson respecting their respective powers. 30th June. A letter from Michillimakinak gives information of intercourse between the Spaniards and Ottawas. Sends plan of the situation of the upper Spanish posts, and the copy of a scheme he proposes. White Eyes is not a friend. On the 3rd July, 47 chiefs and warriors are proceeding to Niagara next day and 81 have agreed to go on scouting expeditions on the frontier. Page 74

Plan referred to in letter from Lake Michigan to the forks of the Mississippi. 93

June 26, Detroit. Heads of a scheme against New Orleans and the Spanish settlements on the Mississippi, submitted by Hamilton to Carleton. 30

July 3, Detroit. Hamilton to Carleton. M. Viviat, the bearer, can give information of the designs of the Spaniards on the Mississippi. Rocheblave's opinion in letter sent is daily confirmed. Captain de Peyster reports that a belt sent by the Ottawas, requesting assistance for the rebels, with one from the Spanish commandant, has been stopped by traders. The steps he has taken to secure information; has communicated with Celoron, Viviat and Baubin. A letter from Abbott would have been sent by Baby but he has been kept to act as interpreter. De Celoron appointed to act at Ouiatonon; Baubin to be interpreter at the Miamis, the interpreters, he believes, having kept up a bad spirit among the Indians. Proper people here appointed to be officers of militia. Sends provision return and plan of the upper country (p. 37). Powder in store; a public table kept for people employed. Advice boat built. Good will shown at the Indian council. Arrangements for Indian expeditions. 2nd July. A Pottowatamie chief stabbed by one of the tribe, which may delay the scout. 3rd July. Recommends Ensign Caldwell going to Niagara. The rebels undermining the loyalty of the people here. His distance causes him to act as seems best in the absence of orders. 39

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Endorsed. "List of persons well disposed to His Majesty's Governme living on the frontiers of Virginia, with remarks, returned by Lieu Governor Hamilton." (The title is misleading. In the list are "Whi Eyes," a Delaware chief, described as "a notorious assistant in the reb councils;" Kayashorta, a Mingoe chief, "strong in the rebel interest John Montour, etc.) Page

July 7, Fort Gage. Rocheblave to Abbott (in French). Report by people from Ne Orleans of an attack by Spaniards on British vessels, so that hostiliti are begun, and it only remains to know what action is to be take Desires to know if he should attack or defend, pointing out the results each.

July 9, Vincennes. Abbott to Carleton. Had written on the 27th ult.; the constant crow of Indians prevents him from writing in detail. Had raised a guard militia. The Indians trying to stir up hostility, he is trying to stocka the place; Rocheblave is sending cannon from the Illinois. The pla formerly governed from New Orleans. Where are the titles of the p perties? What course is he to take respecting them? His cord reception; the people have promised to stand by him. The manœuv of the Spaniards as shown in Rocheblave's letter; a rupture with th indicated; he (Carleton) can judge what force is necessary, this bei the key to Canada from that side. The new Spanish Governor l published an amnesty to all deserters who return to their duty. Sen this by Dequindre.

July 12, Vincennes. The same to the same. Sends letter from Rocheblave. Should t rebels or Spaniards come here, he is sure of being warned by the De wares. Recommends Bolon, who commands the militia.

July 14, Detroit. Hamilton to Germain. Arrival of a person from the Illinois with l head of cattle from Detroit, who reports that a French officer had visi Kaskaskias and said that besides his Croix de St. Louis he also hel Spanish commission. The Spanish commander had assembled the India he would, he said, have something interesting to tell them when maize grew to 18 inches high. Encloses minutes of Indian Council.

Minutes. List of those present, including village chiefs and v chiefs of the different nations (named) together with the interpret &c. (The speeches begin at page 98).

July 27, Detroit. Hamilton to Germain. Sends copy of Rocheblave's letter to Abb (p. 69). Has not ventured to advise Rocheblave, but has written Ca ton on the subject, suggesting that volunteers and Indians might be s by way of St. Joseph's. Note of Indians gone to war to this post, to number of 319. It is reported that the Miamis are preparing to set Chiefs who have gone to Niagara have proceeded with the Six Nati to Oswego. Parties of them are forming daily.

July 28, Ontario. Butler to Carleton. Had left Niagara on the 13th after the arriva some Indians (named). Senecas, with their women and children, wer meet him at Yrondequat, to receive clothes, &c., and provisions support their women and children during the absence of their husba who had accepted the hatchet. Sent 150 Indians to St. Leger for alert against Fort Stanwix. Arrived here on the 25th where he fo Joseph (Brant) with a large party. Another party had been stoppe the Three Rivers by Claus; the total number of Indians collected is much short of 1,000. Scarcity of arms; Claus had distributed prese he (Butler) had prepared; the disappointment this may cause. drawn on Bolton for Indian expenses for £4,011 16s. 9d., which hopes will be paid. His economy and the necessity of retaining Indians, who receive tempting offers from the other side. The waver state of the Six Nations when he arrived at Niagara; his success conjunction with Caldwell and Lernoult in securing their adhesion.

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July 30, Fort Edward. Burgoyne to Germain. The continued retreat of the enemy had prevented any material action, but the bare date of a letter from Hudson River is matter of intelligence not to be deferred; the march was effected without loss of life, a few Indians and Provincials were wounded. The loss of the enemy in killed and wounded, about 300 men. The toil of the march; the roads to be cleared of trees felled across; about 40 bridges to be built. The alternative route by water, its disadvantages; the good effects of the forward movement on the Hudson River, which caused the garrison to abandon Fort George and burn the vessels, leaving the lake free, so that the King's troops have been able to pass. The forward state of the stores. The enemy making a stand at Saratoga. Page 15

August 5, Ohio County. David Shepherd to Abraham Hite. Reports received from General Hand that a large body of Indians and Canadians are making for the settlements and expected to attack Fort Pitt. The country is in great distress; asks for help. There was a small affair on Friday, between six of their (American) scouts and five Indians, of whom the scouts killed and scalped one, the rest escaped. 227

On the letter the following notes are endorsed: "The above letter was found in the pocket of the messenger who was killed by a scouting party of Hurons which brought in three scalps. Messrs. Chabert, two young gentlemen, accompanied the Indians on this scout across the river Ohio." "General Hand is the officer at present commanding at Fort Pitt, and was formerly ensign and surgeon's mate in the 18th (Royal Irish) Foot."

August 8, Quebec. Carleton to Germain. That he is unable to grant letters of marque and reprisal against the rebellious Colonies, and encloses the opinion of the Attorney-General, and a proclamation permitting the free exportation of flour and biscuits, to certain parts. Caldwell demands his pay as a legislative councillor from the date of his mandamus. Asks instructions thereupon. 7

Proclamation withdrawing the prohibition to export flour, &c. 10

Case and opinion of the Attorney General respecting the power to issue letters of marque. 12–14

August 11, Quebec. Carleton to Germain. Had been obliged to refuse Burgoyne's request for a garrison for Ticonderoga, owing to His Lordship's orders, which had taken the conduct of the war entirely out of his hands. The evils caused by His Lordship's arrangements. Hopes he may try to correct them after his (Carleton's) removal. But taking advantage of a clause in the letter of the Secretary of War, he shall send the additional companies now in the Province, to join their regiments under Burgoyne's command. Sends extract of Burgoyne's letter and copy of answer, with several letters from Lieutenant Governor Hamilton. 18

Enclosed. Burgoyne to Carleton. Skenesborough, 11th July, for a garrison for Ticonderoga. (Printed in "State of the Expedition." Appendix, p. xlii.) 20

Carleton's answer, dated 19th July, refusing a garrison for reasons given. 22

August 11, Before Fort Stanwix. St. Leger to Burgoyne (extract). Had invested Fort Stanwix on the 3rd. Heard on the 5th that a body of 1,000 militia was on the march to raise the siege. Its defeat and total rout. The only obstacle now to his joining Burgoyne will be a reinforcement of regular troops (Continentals). An expedition towards the Mohawk will help his junction with either of the grand armies. 223

August 13, Quebec. Carleton to Germain. Transmits letter from Abbott, with intelligence from Rocheblave, who has been employed to watch the Spaniards. His abilities and knowledge of that part of the country suggested his being

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employed. Letters from Hamilton also enclosed; but has not detain
the vessels to send copies of a voluminous packet received from Hamilt
at the same time. Page
(The letters from Hamilton are calendared at the respective dates).

August 15, Camp before Fort Stanwix. Butler to Carleton. Account of the attack and defeat of the rebels
Orisco, with the loss of 500 killed, wounded and taken. (The details a
given). Reported capture of his son, which he does not believe. 1

August 16, Walloon Creek. Breymann's account of an affair which happened near Walloon Cree
(Enclosed in Burgoyne's letter to Germain of 28th August.) 2

August 20, Saratoga. Burgoyne to Germain (private). His feeling respecting the sinist
events he has had to communicate. Justifies his course at Saincoik, &
(This letter is published in the "State of the Expedition," Appendix,
xxiv, with a few verbal changes). 1

August 20, Camp near Saratoga. The same to the same. Sends account of the proceedings of the arm
&c., from the 30th of July, (Printed in the "State of the Expedition
Appendix, p. xxi). 2

August 27, Oswego. St. Leger to Carleton. Account of occurrences at Fort Stanwi
beginning: "A minute detail of every operation since leaving Lachine
(Printed in "State of the Expedition," Appendix, p. xliii). 1

August 27, Oswego. The same to the same. The erroneous accounts respecting Fo
Stanwix, which was found to be a respectable fort, garrisoned with 7
men, and demanding a train of artillery for its subjection. Its descri
tion. The effect of reports of the poor character of the force, whi
was believed to consist of 500 or 600 undisciplined Tories under Johnso
led him (St. Leger) to assume the title of Brigadier General, which h
discouraged the rebels and encouraged the Indians. Asks leave to reta
the title till he joins Burgoyne. Since writing the Hessians have arriv
with 50 men sick. 1

August 28, Camp near Jones' Farm. Riedesel to Germain (in French). His zeal for the King's servic
The rapid success at Ticonderoga, Skenesborough, &c., the delay fro
want of carriage. The unfortunate result of the expedition to Penni
ton. Sends copy of the instructions to Baum. 1
Instructions referred to, signed by Burgoyne and dated 7
August. 1
A copy of the instructions by Burgoyne to Baum (in English) is
the "State of the Expedition," Appendix, p. xxxiv., of which this giv
the general scope.
Enclosed in Riedesel's letter is an account of the proceedings of Baum
detachment from the 9th to the 16th August. 2
Returns of the loss of German troops on the 16th August under Bre
mann. 2
The same under Baum. 2

August 28, Oswego. Claus to Carleton. Apologises for his silence. The fidelity of t
Indian nations; is convinced that the Six Nations and Confederates w
remain faithful to the end; their late success in Tryon County and desi
for vengeance will, no doubt, edge them on. 1

September 5, Detroit. Hamilton to Germain. Congratulations on recent victories. The
are now 1,150 warriors on the frontiers. Return of a party from Fo
Stanwix with prisoners and scalps; they have behaved with gre
humanity and given up all the prisoners either to Butler or himse
News of Spanish hostilities on the Mississippi confirmed. Seven En
lish vessels seized and their crews made prisoners. The officers wh
went with the Indians have acquitted themselves well. 2

September 9, Niagara. Bolton to Foy. Now that the expedition to Fort Stanwix is ove
asks for a reinforcement of artillery, the duty on the garrison being ve
hard. There are now forty men on the sick list, and, before the l

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recruits arrived, only seventy-five fit for service. Schuyler's intrigues among the Indians, he had asked the Six Nations to meet him at the German Flats to renew the old friendship, and deliver up Butler. It is possible that when the army leaves Ontario the good disposition of the Indians may change. Germans have deserted. Wants interpreters. Page 157

September 15, Whitehall. Germain to Burgoyne. His letter of 11th July received, with account of the rebels being dislodged from Ticonderoga and Mount Independence. The favourable opinion of his conduct. Would not enter into details, but expresses the high opinion of him entertained by His Majesty, and his approval of the behaviour of the other officers (named). Presumes he will have Ticonderoga garrisoned from Canada; shall be sorry should he be obliged to alter his design. Believes he will not lose sight of the grand point in view or that his progress would be either slackened or retarded. Is confident that no obstacle can be opposed which will not be easily surmounted. In a P. S. of 1st October, the receipt is acknowledged of dispatch of 30th July, with the news of his arrival at Hudson's River. Hopes to hear of every movement. 124

September 15, Quebec. Beating order to John Butler, appointed Major Commandant of a corps of rangers to serve with the Indians. 159

Instructions to Butler, of same date. 162

September 18, Ticonderoga. Powell to Carleton. Attack by the rebels on the post. On Mount Independence the attack was weak, though continued; it is impossible to ascertain their numbers owing to the woods. Fears that they have been successful at the Portage, Sugar Loaf Hill, &c., and that great part of four companies of the 53rd have been taken prisoners. Communication with Burgoyne shut up. Great part of the garrison very ill; has himself been confined for some days. 169

September 18, Maria off Ticonderoga. Captain Stark to the same. The rebels appeared here this morning; they have taken Mount Hope and three companies of the 53rd; is afraid they have taken the few seamen and craft left on Lake George. The "Maria" and "Carleton," stationed for the defence of Mount Independence, must certainly fall into the hands of the rebels should the garrison surrender. Should it be thought necessary to have the other vessels manned for the defence of the lake, officers and seamen must be sent; the vessels are in good repair, only their guns are landed. 171

September 19, Whitehall. Germain to Haldimand. Notifies his appointment to be Governor-in-Chief of Quebec and commander of the forces; his instructions sent with his commission. Owing to imperfect information, will defer giving particular orders respecting the government of the Province. It is unnecessary to urge him to use his best endeavours for the execution of his trust. He is to embark at once in the "Hussar." 3

September 19, Mount Independence. Powell to Carleton. Account of the attack from Sugar Loaf Hill. A soldier sent in who had been sworn not to serve against the Americans; he has been sent to St. John's. Neither the German nor St. Leger's detachment arrived. Lieutenant England taken prisoner at the Portage; he has gone to Canada on his parole. At 5 p.m. Had received another summons to surrender, this time from Warner, to whom he returned the same answer as to Brown. Cannot ascertain the force of the enemy; learns by a deserter that at Sugar Loaf Hill there are about 800 who came through the woods from Bennington. Has written to St. Leger to press forward. 185

September 20, Quebec. Carleton to Germain. Sends letter from St. Leger, with account of defeat of the rebels under Herkimer, by Sir John Johnson and Butler, with copies of letters from Burgoyne, Claus and Butler. Johnson explains his reason for abandoning the siege of Fort Stanwix. Has been in consequence obliged to send the detachment of the 8th to Niagara,

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although it had to be withdrawn from St. Leger contrary to Burgoyne' orders, as otherwise that post would have been left too weak; enclose letter from Bolton to that effect. Butler has come down with three chief of the Five Nations, who declare their attachment, but ask that a post b established at Oswego to protect them, or else that soldiers be stationed at their villages. Butler recommends a body of rangers to serve wit the Indians; he has been furnished with power to do so, appointing hi Major, with orders to join Burgoyne. The fickleness of the domicile Indians, agreement with them so that Burgoyne may have large partie of them with him. Although in hourly expectation of a successor, h goes to St. John's to assist St. Leger's corps to join Burgoyne, &c. Page 12

September 20, London. Haldimand to Germain. Respecting Indian presents.

September 21, Quebec. Carleton to the same. Sends return of arms received and issued sinc 1774. Burgoyne has demanded 1,000 stand of arms, which were sen him and has since asked that the number be made up to 1,500 fo Provincials. The last 500 it will be difficult to make up and none wi be left in the King's stores. The number necessary should be sen out. 16

Return referred to. 16

September 23, Mount Independence. Powell to Carleton. Rebels continuing to harass the lines and t attack Ticonderoga. Arrival on the 21st of 100 Germans; they will hel to man the lines. How an attack was prevented on the 22nd. Th rebels left the lines this morning and 450 of them went over Lak George with gun boats and an armed vessel to attack Diamond Island should they succeed they may probably return, and mount on Suga Loaf Hill some 12 pounders to be found at Diamond Island, which wi make the place difficult to hold unless St. Leger arrives before thei return, so that the hill can be taken possession of. They have destroy ed four gun boats at this end of Lake George and two gun boats an some bateaux lying about the bridge; they have also killed and taken mos of the oxen and horses and destroyed the carts. It is reported that Lincol with 3,000 rebels were intended for an attack on the lines. 24th. Th rebels on the south-east have retired to Hubbertstown; Indians hav gone after them. Returns sent. Men left sick have been sworn not t serve against the Americans; what is to be done in such a case. Th zeal of the troops and merits of certain officers (named) with thei services. The attack on the blockhouse near the saw mill, which wa held till the enemy brought cannon. The necessity for a strong post a the north end of Lake George; the enemy will probably keep a stron post at Skenesborough. The prisoners should be removed; the ba effect of their being left here. Firing heard on Lake George. Ha heard nothing from Burgoyne; the report was that he was to b attacked on the day of the attempt here. 17

Casualty return at the landing place at the north end of Lake Georg on the 17th September and other returns. 180 to 18

September 24, St. John's. Carleton to Germain. Had reported that he was on his way to S John's to forward St. Leger's corps. Had received on the way lette from Powell left at Ticonderoga and from the naval commander o Lake Champlain, copies of which he sends. (These are calendare under their respective dates). The present emergency has compelle him to send out of the Province a battalion more than was intended b His Lordship. Has sent the 31st to join St. Leger and placed the who under command of Brigadier Maclean, until Ticonderoga is relieve when he is to return with the corps to Canada, leaving St. Leger t carry out what orders he may receive from Burgoyne. Hopes to hav a party of Indians to follow the brigade, already on its way. 16

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September 24, Quebec. Deposition (in French) against Louis Giroux, tanner, St. John's suburb, and his wife, for seditious language and behaviour. Page 232

September 27, Mount Independence. Powell to Carleton. Sends account of the attack on Diamond Island by the rebels and their repulse. Is afraid a letter from Burgoyne has been intercepted and that St. Leger's detachment cannot reach Burgoyne from want of carts and horses. 188

September 28. St. John's. Carleton to Germain, Sends letter from Powell, with returns of the loss at Ticonderoga caused by the rebels; it is reported that there has been a considerable loss in artificers and men on corvée. Is unable to account for the negligence shown. 173

September 29, St. John's. The same to the same. Sends copies of letters from Powell. 184

September 29, Mount Independence. Powell to Carleton. Had been authorized by Burgoyne to detain the detachments from the 8th and 34th; if he does the garrison will then be in the same state as before part of the 53rd was taken prisoners. Burgoyne wishes St. Leger's detachments to join him; this will leave the garrison in a critical state, unless the 31st is allowed to remain. His illness prevents him entering into details. 279

September 30, Mount Independence. The same to the same. Maclean will embark to-morrow, for Canada, with a detachment of artillery and 31st Regiment; he will give full information; should St. Leger's detachment join Burgoyne, it will reduce the garrison to a very disagreeable situation. 281

September 30, Ticonderoga. Brigadier Maclean to the same. Arrival of express from Burgoyne reporting an action on the 19th; Phillips reports verbally that the action lasted from noon till dark, that only three British regiments could be brought into action, whose loss was about 150 killed, 350 wounded, 9 officers killed. The field was gained only after dark. Arnold commanded, the rebels retired to camp half a mile from the field of battle. Burgoyne's letter is short and urges that St. Leger be pressed forward. The want of carriage and the shocking situation of the Quartermaster General's Department make it impossible he should go for some days, and Powell will not let him go till he shall hear again from Burgoyne. He (Maclean) cannot think of remaining in this state of uncertainty; had Powell pushed St. Leger forward after the defeat of the rebels, it might have been a favourable opportunity to get to Burgoyne. Want of carts, harnesses, bateaux, &c. 192

October 1, St. John's. General return of the army. 330

Returns of ordnance, &c. 332-335

Returns of ordnance, &c., at Montreal, Chambly and St. John's, dated Montreal, 27th October. 347

October 1, St. John's. Carleton to Germain. Sends letter from Brigadier Maclean. 191

October 2, Quebec. Cramahé to the same. Sends letters from Carleton, now at St. John's, with enclosures. 194

October 2, Mount Independence. Powell to Carleton. Had received an express from Burgoyne to keep the force with him, so that he could maintain himself till winter without troubling him (Carleton). Burgoyne desires him to apply to Carleton for what the garrison may require; hopes that the requisitions will be supplied soon. Provisions to be sent to Diamond Island. Phillips has ordered bateaux to be collected for Lake George, so that none can be sent to St. John's. 282

October 3, St. John's. Instructions to Captain Samuel Greaves, appointed to command all His Majesty's vessels upon Lakes Champlain and George. 284

October 4, Quebec. Cramahé to Germain. Sends dispatches from Carleton. 229

October 4, Quebec. The same to Knox. That Cuthbert has had leave to cross this fall on private business. 195

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October 5, Mount Independence. Powell to Carleton. Sends list of the casualties among the artificers on the 18th September, in addition to return already sent. The sickness among the artificers; unless assistance is sent the work cannot go on. Respecting the Canadians on corvée; cannot tell the casualties, Dambourgés being taken prisoner and no one left in charge of them; they had deserted by dozens. At present there are only 10 here on corvée. None of the Canadians have been ill-used, except that some have been kept beyond their time, to the detriment of the service; if dismissed as promised, they would work with cheerfulness and there would be less desertion; 300 men are required by the engineer, without which the work cannot go on; care will be taken to send them back when their time expires. It will be impossible to send any artillerymen to Canada; there are not enough to man the batteries. Does not know what Starke intended, but he (Powell) had no idea of capitulating. Error in the returns of prisoners taken, owing to sick in hospitals having been included. Page 288

Return of prisoners taken by the rebels. 292

Return of artificers killed or taken prisoners. 293

(Both returns relate to the 18th September.)

October 5, Quebec. Chief Justice Livius to Cramahé. Demands that Giroux and his wife, sent to prison for disaffection, &c., be brought before him and states at some length his own position and duties and the law on such cases. 233

October 6, Quebec. Cramahé to Livius. Enclosing deposition (p. 232) against Giroux and wife, as proof that the arrest was not made without cause. 238

Declaration on oath of Miles Prentice, Provost Marshal, respecting the course of Livius, in the case of Giroux and wife. 240

October 6, Quebec. Livius to Cramahé. That the distance he (Cramahé) had maintained would prevent him (Livius) from visiting him. His illegal acts denounced, and the recognition of the position of the chief justice demanded. That the Provost Marshal must also apologise for declining to recognise the verbal orders of the chief justice, &c. 243

Copy of his letter to Carleton complaining of Cramahé's course in the case of Giroux, enclosed. 247

October 8, Quebec. Livius to Carleton. Further respecting the Giroux case, and complaining again of Cramahé. 251

October 9, Quebec. The same to Cramahé. Complains that his letters are not answered, and sends copies of what he has written to the General respecting arrests. 253

October 10, Mount Independence. Powell to Carleton. The account of the engagement sent by Maclean was no doubt true. A letter from Washington is in the rebel papers giving an account of an action in which he had been defeated. Mr. Jones, who brought the report did not recollect the details. Johnson has offered to join Burgoyne through the woods, but wishes to delay till Claus arrives. Reports that Lord Stirling had been defeated in the Jerseys with the loss of 7,000 men; the report is not confirmed. 294

October 11, Mount Independence. The same to the same. Reports that Burgoyne is retreating. The retreat will be difficult. He has already lost eight pieces of cannon, and it is feared will lose all his baggage. Names of some of the officers killed, wounded and prisoners. Reported that the garrison is to be attacked by 9,000 rebels. Should Burgoyne not effect a retreat, the consequences may be fatal to it. 297

October 12, Quebec. List of prisoners in the Prevôté, for political offences. There are seven in all. The return is signed by Cramahé. 255

October 13, Quebec. Cramahé to Carleton. Giving details respecting his dealings with persons accused of sedition, and of the position taken up by Livius, in respect to his rights and powers as Chief Justice. 257

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October 14, Quebec. Carleton to Germain. Before leaving St. John's, had left orders concerning the fleet on Lake Champlain. Had received various letters (specified), on his way to Quebec. Encloses letters and documents respecting certain legal matters in Quebec. Page 230

October 15, Quebec. The same to the same. States the difficulties that had arisen respecting judicial appointments, in consequence of the clause in the Quebec Act, vacating all commissions, as a consequence of the complaints of the offices being sold by the patentees to the highest bidder. He had retained and reappointed all the officers, except those who did not attend to their duty, and appointed Mr. Rouville and Mr. Panet to the bench at Montreal and Quebec respectively. That two judges at Montreal have been thrust out by Livius and Owen. Comments on the cases of Grant and Fraser, thus treated. "'Tis unfortunate that Your Lordship should find it necessary for the King's service, to send over a person to administer justice to the people, when he understands neither their laws, manners, customs, nor their language, and that he must turn out of his place a gentleman who has held it with reputation for many years, well allied in the province, and who had suffered considerably for his attachment to his duty both as a magistrate and loyal subject." 304

October 15, Quebec List of persons appointed to offices in Quebec transmitted in Lord Dartmouth's letter of 15th April, 1775. 269

October 16, Mount Independence. Powell to Carleton. Since writing on the 10th, has not heard from Burgoyne; is afraid all his expresses have been taken. Report by Captain Anderson of Sir John Johnson's company, respecting Burgoyne's position on the 10th. An Indian who left on the 13th reported that Burgoyne was surrounded, and as the firing had ceased, took it for granted that Burgoyne was capitulating. Presumes the rebels will be here in force; suggests that he should receive orders to abandon the post. It will be difficult to bring off the garrison at Diamond Island. 299

October 16, Mount Independence. The same to Maclean. Has not heard from Burgoyne. Fears the fort must give way. 309

October 16, Quebec. Carleton to Germain. The duties of his (Germain's) office to reprimand those servants of the Crown who do not render ample service, but on the other hand reasons should be given for censure and proof of the charge of negligence of not sending troops to Albany last fall, which was morally impossible. He had made no complaint of want of troops, but how could they pass the Lake on the way to Albany, when no naval preparations had been made, and even the flat boats intended for use in the river had been ordered to be left behind, although Pringle had been directed to urge in London those naval preparations; had 30,000 men been sent into Canada without these preparations, the campaign must have ended at St. John's. Even had he (Carleton) been silent on that head, His Lordship well knew there were lakes and waters to cross before he could penetrate to Albany, and that the rebels had a force on them; the importance of being masters of Lake Champlain, which the rebels did not neglect. It was for His Lordship to be satisfied with the proposals sent or to decide on such others as would relieve Howe from the Canadian side, and as His Lordship was convinced that the army abounded with men better qualified than the Chief Governor and Commander-in-Chief, it was his duty to remove him and not, whilst leaving him with these high commissions, to make him the object, in the most public manner, of the strongest disapprobation. Refers to the practice of sacrificing the State to private interests; as His Lordship was a stranger to his (Carleton's) character, he should not have left him to indulge his private discontent to the detriment of the public service. He had not complained of the want of a sufficient force, but he had

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complained of the civil and military arrangements, and of the system of politics His Lordship had followed, of which details are given. Offers his opinion that gentlemen in command should be allowed to follow the dictates of their own sense and judgment, as being on the spot they can see what is most expedient to be done. If not qualified they should be recalled. Page 270

October 16. Major Gray to Maclean. Reports make it probable that Burgoyne is capitulating. Powell's defence of Mount Independence, which ought to have been burned when he (Maclean) was there. 306

October 18, Montreal. Maclean to Carleton. The express (Jones) who left Burgoyne on the 10th says he has not the smallest chance of getting off; he (Jones) narrowly escaped the rebels on Lake Champlain; they have possession of bateaux picked up on the shore and it is reported will attack Ticonderoga. 304

October 18, Montreal. The same to the same. Sends Powell's letter, &c. 308

October 19, Whitehall. Germain to the same. The King has consented to his return, and appointed Haldimand his successor, to whom all necessary instructions shall be given. He leaves in the "Hussar," which will take him (Carleton) and his family on his return. 1

October 19, Quebec. Order by Carleton to Maclean to take post at Chimney Point, near Crown Point, to keep up the communication with Ticonderoga. 310

October 19, Mount Independence. Powell to Carleton. Report brought by a deserter that Burgoyne was to surrender on the 16th; the British troops to go to Boston to embark, the German troops to go to their own country and the volunteers and Canadians to go to Canada. McKay vouches for the man's character. McKay has arrived with 100 volunteers and Canadians; other small parties have since come in. Vessels (named) to go to St. John's with invalids, &c. 312

October 20, Quebec. Carleton to Powell. Declines to send orders for reasons given. 302

October 20, Albany. Burgoyne to Germain. Letter respecting his surrender, with accompanying documents. (Printed in the "State of the Expedition." Appendix pp. xlvii to lx). 358 to 398

October 20, Albany. The same to the same (private). (Printed in "State of the Expedition" where it is marked "(Private by Lord Petersham)." Appendix p. liii). 428

Casualty returns. 432 to 437

October 24, Quebec. Carleton to Germain. Encloses letters from Powell and Maclean, with other documents. (These are calendared according to their dates). His naval arrangements on Lake Champlain. 277

October 25, Quebec. The same to the same. Sends letter from Powell (calendared at its date, 19th October.) 311

October 26, Quebec. The same to the same. Leave of absence given to Fraser, member of the Council. 314

October 31, Mount Independence. Powell to Carleton. As he had been left to his own judgment he had called a council of war. Gives a summary of the reasons which led to the resolution to abandon the post. 321

October (?), Niagara. Pollard to Butler. The discontent of the Senecas at the withdrawal of troops from Ontario and their inclination to join the rebels; the loyal Chiefs desirous to see him (Butler). Report that Burgoyne has been defeated near Albany and that Howe is meeting with difficulties. The Indians believe the reports, so that he (Butler) should be up speedily. 286

November 1, Chimney Point. Maclean to Carleton. Arrived here on the 27th October. Powell wrote for him to come to his assistance as he was to be attacked; the best reason why he (Maclean) should remain here, as the only way to secure communication with Canada. Powell has concurred in this view.

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Is satisfied there are not 200 rebels collected in any one place nearer than the south end of Lake George; Yates has gone to oppose Clinton, who was within 40 miles of Albany. Powell has resolved to abandon Mount Independence and Ticonderoga, and to withdraw the garrison and stores on Diamond Island. The Germans would not work; had sent 150 men to assist in embarking the provisions, cannon and stores, as he can defend his position with those left. Severe weather, sickness and want of fuel, &c. Page 318

November 1, Mount Independence. Powell to Carleton. Cannot tell the day he will leave the post; the detachment and stores from Diamond Island not yet arrived; it will be difficult to bring everything with the craft here. From the great number of sick, the hospital stores will require the largest vessels. The families banished by the rebels must be brought or left to starve; these, with the immense quantity of Burgoyne's baggage to be brought to Canada, will distress him greatly. Hopes to be able to retire in seven or eight days. 325

Weekly state of the garrison of Ticonderoga and Mount Independence. 357

November 4, Crown Point. Lutwidge to Carleton. Had arrived at Ticonderoga on the 1st and sailed yesterday with all the vessels. How each vessel is employed (giving details). A detachment of 30 seamen left to assist the embarkation of the garrison. Graves better after losing his left arm; the wound was given by a drunken soldier, and does not seem to have been intentional. 327

November 6, Quebec. Carleton to Germain. Officers returned from Burgoyne's army confirm the news of the misfortune; Powell intends to abandon his post and return to Canada. Sends copies of letters. All troops which, by the convention, cannot serve here shall be sent to Europe if they return before navigation closes. Sends returns with Foy, who will give such other information as may be wanted. Has looked with impatience for the arrival of his successor, but at this advanced season has the mortification to think that there is little hope of seeing him before Spring, though he (Carleton) has long been disqualified from serving on this continent in either civil or military capacity, and has been held up as an object of His Lordship's censure; all he can do is to prevent cabals, "lest this country should produce, what may be found in all others, characters regardless of the public tranquillity but zealous to pay their court to a powerful Minister and, provided they can flatter themselves with a prospect of obtaining, by his protection, advantages under the Crown, are unconcerned should the means of obtaining them prove ruinous to the King's service." 315

November 11, Quebec. The same to the same. Sends minutes of the Legislative Council, with copies of papers. Sends also a map prepared by a North-West trader. 399

Documents enclosed, relating to a dispute between Livius, Chief Justice, and members of the Legislative Council, with regard to the powers of the Court of Appeal. 401

December 18, Quebec Coffee House, London. The merchants of London, trading to Quebec, ask for an audience from His Majesty respecting their trade. 438

No date. Burgoyne to Carleton. (The letter was received at Onondaga Falls on the 25th August). Had written of his success at Ticonderoga. The difficulties of getting forward, owing to the state of the roads from rain; failure to obtain a supply of cattle. The courses open to him (Carleton): 1. To force the place with his artillery. 2. If not, whether he can remain before it, without risk of his retreat being cut off. 3. If he can re-embark and join him (Burgoyne) with his troops by the route

1777. through the woods to Fort George. Till he can effect the second, or otherwise keep footing in the country till he (Burgoyne) gets possession of the mouth of the Mohawk, it might be a good measure to leave the garrison and to join him (Burgoyne) by forced marches, but this must depend upon the good affections of Johnson's country. Page 149

No date. Petition of the merchants concerned in the fisheries on the coast of Labrador. (Marked as received on the 3rd of July, 1778). 439

GOVERNOR HALDIMAND—1778.

Q. 15.

1776. August 4. Quebec. Order that no terms are to be held with the rebels. (See B. 83, p. 30.) Page 366

1777. August 3. Vincennes. Abbott to Carleton (Extract). Explaining the reason for the expenditure on Indians. Spanish operations. 96

September 26. Vincennes. Same to same (extract). Reported attacks by rebels. De Celoron to present the hatchet to the Indians of the River. 98

November 8. Mount Independence. Powell to Germain. Burgoyne's convention. His (Powell's) course since. Account of Burgoyne's movements previous to the capitulation. In view of the unfavourable reports, had written Carleton for orders but Carleton declined (20th October) to give any. Council held in consequence, and resolutions come to that the forts should be evacuated, &c. 198

Copy of Carleton's answer. 201

Minutes of the Council of War. 203

November 16. Vincennes. Abbott to Carleton. Spaniards have sent belts to Indians. 99

December 14. Niagara. John Butler to the same. His proceedings. (See B. 105). 116

December 27. Philadelphia. Pat. Sinclair to ——— that he must proceed to his post in Spring by way of the St. Lawrence. Had been able to save a ship and 100 recruits from a rebel privateer. 6

December (?). Hamilton to Carleton (extracts). The state of Fort Pitt; alarm in the Ohio. Morgan (Indian agent for Congress), a prisoner at Fort Pitt has been released. Cornstalk (a Shawanese chief) and some of his followers put to death. Disbanded soldiers settled in the country persecuted for their loyalty. Has informed Lernoult of his ideas about attacking Fort Pitt. 100

1778. January 22. Fort Gage. Rocheblave to Germain (?) (in French). Captain Lord re-called on account of the troubles; he had left him (Rocheblave) in charge of the Indians. Has felt the necessity of moderation in expenses, and is astonished that those incurred for six months have been disallowed. 193

January 28. Niagara. Butler to F. LeMaistre. Preparations to meet hostile movements. (See B. 105). 120

January 30. Vincennes. Address (in French) by the inhabitants to Abbott on his leaving Vincennes. 207

February 2. Niagara. Butler to Carleton. Details of negotiations with Indians, &c. (See B. 105). 123

The report of the Council held with the Indians (this report is not with the letters in B. 105). 130

February 6. London. Foy to Knox, with memorandum of a plan for a Canadian corps. 1

How a Canadian corps should be raised. 2

February 28. Fort Gage. Rocheblave to Germain (?) (in French). The withdrawal of troops to save the lower country. This part of the country will become the centre of communication between the Colonists and Spaniards; how it can be saved. 196

1778.

March 14, Quebec. Carleton to Hamilton (extract). Can give no instructions regarding Fort Pitt beyond Germain's orders. Will lay the plan before Haldimand on his arrival. Page 105

April 3, Detroit. Abbott to Germain. His reason for remaining at Vincennes, and for leaving it, was to avoid expense. His regret for the poor people attached to the Crown, who feel themselves cast off, but determined to defend Fort Sackville. Sends copy of address (p. 207). Several hundreds from Fort Pitt would have taken refuge at Vincennes had he not been obliged to leave. 209

April 8. Bolton to Carleton (extract). Indians determined to assist. (See B. 100). 150

April 10, Niagara. Butler to same. The Six Nations bringing off their friends, after which they intend to strike at the rebels, &c. (See B. 105). 146

April 14, London. Haldimand to Germain. Reinforcements wanted for Canada; the military powers of the Commander-in-Chief to be unlimited, and operations left to his own judgment. He should receive instructions how to treat with those who desire to return to allegiance, or with Provinces which may ask for assistance against the others. Respecting a citadel and fortified posts. As Civil Governor he should have the nomination to all places. The question of command over Niagara and posts on the lakes to be settled, as well as that respecting the existence of the *Habeus Corpus* Act in Canada, concerning which there are differences of opinion. 8

April 15, Whitehall. Germain to Haldimand (No. 3). Fraser to succeed Owen as one of the judges at Montreal. (See B. 43 and 50). 7

April 15, London. Nicholas Cox to Germain. Respecting the Labrador Fisheries. 13

April 15, Whitehall. Germain to Carleton. The "Hussar," appointed to take out Haldimand and bring him (Carleton) back, was detained by contrary winds. The "Montreal" frigate takes her place. 15

April 16, Whitehall. Germain to Haldimand (No. 4). Respecting defence, raising Canadian troops, &c. (See B. 43, p. 28). 16

April 16, Whitehall. Same to the same (No. 5). Encloses note from Amherst; the note recommends filling up the troops in Canada from Burgoyne's supernumeraries, and that any wanted to fill up should be sent from England. (See B. 43). 20–21

April 18 Whitehall. Same to the same (No. 6). Enclosing Acts of Parliament (B. 43, p 34). 22

April 22, Whitehall. Haldimand to Germain. That a supply of beef and pork be sent to Canada with the present fleet. (See B. 42). 25

April 25, Detroit. Hamilton to Carleton. Journal from the 26th January to date. (See B. 122). 106

April 27, Portsmouth. Haldimand to Germain. That every means must be used to forward the stores. Store ship and troops not going with the convoy. (See B.47). 26

May 4, Quebec. Carleton to Bolton. The conduct of the war is taken out of his hands. Cannot give Butler instructions. Leaves that to his successor. 151

May 15, Whitehall. Germain to Haldimand (No. 7). Respecting military works in Canada, and enclosing correspondence. (The correspondence is not with this letter. It is in B. 43 with the letter from Germain). 30

May 15, Whitehall. Knox to the same. That room has been made for Indian stores and Haldimand's baggage. List follows, dated 7th May. (See B. 43). 28-29

June 7, Detroit. Hamilton to Germain. Had written to Carleton for instructions about the Indians but was referred to Haldimand. His desire to have the military command settled. McKee's escape. Congress making overtures to the distant settlements. Intercourse between Fort Pitt and New Orleans. 211

Enclosed is a memorandum to Pownall of questions to be answered. 215

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June 10, Quebec. Carleton to Germain (No. 47). Discontents, &c. (See B. 37) Pag
Military and other returns. 40 t

June 25, Quebec. Carleton to Germain (No. 48). His Lordship's displeasure. Cha
ter of the Legislative Councillors. (See B. 37).

June 27, Quebec. Same to the same (No. 49). With minutes of the Legislative C
cil.

June 30, Quebec. Haldimand to the same. His arrival, &c. (See B. 54.)

July 4. Rocheblave to Haldimand (in French). Had reported the proceed
of Willins (Willing), formerly of Philadelphia, who left Fort Pitt
winter and in February went towards the lower Mississippi wi
officers and 40 men. It is reported from New Orleans that he
returned at the head of 300 rascals, after having committed the w
brigandage in the British settlements carried off plunder above $1,
000 in negroes, indigo, money, peltry, not to speak of a prodig
quantity of munitions of war and merchandise. British Arkansas
been reduced to a desert; some of the inhabitants have joined him
rest he has taken to Spanish Arkansas. He has set up a portrait of
King and fired at it. Thence he went to the Natchez, and carrie
some prisoners making the traders sign an obligation of neutra
pledging his honour to leave them unmolested, but afterwards retur
having associated with him a gang composed of the scum of all nat
and robbed and ravaged with a fury worthy of barbarians, and, as if
title of brigand was too little, he has added that of perjurer by refu
a share of the plunder to the rascals who had joined him on
promise. On leaving for New Orleans they left about a dozen me
pick up the animals; a detachment from Pensacola by way of the l
killed three of them and took the rest to the garrison. Willing has
back to look for the animals and burn the houses. The band on
arrival surprised a frigate, and it is only by their love of plunder
perjury that the country escaped, as otherwise Mobile and Pensa
would have yielded, some of the inhabitants being prepared for it,
deterred by the devastation committed; an expedition sent by Willin
complete the plunder at Natchez was fired upon by the inhabits
killing seven and taking the rest prisoners. Willing is spending la
ly at New Orleans to obtain recruits. The succes of Willing's expedi
is due to the sympathy of the people of this country with the o
Americans, which a few troops and the well disposed would have
vented, besides meeting the fraudulent neutrality of their neighbo
Willing has been supplied with arms and clothing from the store
the Spanish King, reported to be at New Orleans. These were
under fictitious names, whilst the traders could only get small supp
Preparations making by the rebels to send off powder, &c., and the proc
of their robberies. Has sent to warn the people at the Natchez to be on
look out for them; they are to be immediately followed by others.
Belle Rivière (the Ohio) will this winter be covered with bateaux ca
ing provisions, if His Excellency does not act promptly. The
Spanish commander has orders to build four forts on the Illinois.
French reduced officers are going to Vera Cruz to look for troops.
discouragement of the inhabitants by the practices of their neighbo
the Spaniards, and by men of British origin, less loyal than the
subjects if supported. The inducements held out by the Spaniards to
them to join, and yet they have gained no one, a proof of their loya
If the crops could be moved to New Orleans, the Spanish troops on
river would be unable to subsist, their own crop having failed,
the inhabitants could not be prevented selling, so long as the crops w
left in their hands. The crews of the two Spanish bateaux are lodge

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the houses left standing by the Americans; complaints have been sent to New Orleans. Is anxious to be replaced by some one of British origin, to avoid the jealousies of those who are only so in name and who look with favour on the Americans and try to thwart all his measures (on which he enlarges). He begs that troops be sent at once to prevent assistance being brought to the Colonies; he will struggle as long as possible to maintain the post. Respecting his accounts, &c. Page 234

July 8, Laruwanak. Butler to Bolton. Account of the expedition to Wyoming (See B. 100). 220

The articles of capitulation of Wintermonts Fort, dated 1st July, follow this letter. 225

July 16, Niagara. Bolton to Le Maistre. Reports Butler's success over the rebels at Wyoming. Sends enclosed the details brought by Hare (See B. 100, where it is dated 14th). 220

July 20, Quebec. DeLanaudière to Germain (in French). Complains of being passed over in the selection of Councillors. 192

July 25, Quebec. Sketch by Haldimand of the military state of the Province of Quebec (See B. 42). 169

July 25, Quebec. Haldimand to Germain (No. 1). His arrival, &c. (See B. 42). 162

July 28, Quebec. Same to same (No. 2). Evacuation of Philadelphia, &c. (See B. 42). 167

July 29, Quebec. Same to same. Livius removed from office. Memorial by Livius of 3rd July, and correspondence 11th, 12th and 14th July (See B. 54 and B. 204). 178 to 191

July 30, Quebec. Return of the troops in Canada, showing what number may be assembled to act upon any sudden emergency. 177

August 4, Quebec. Haldimand to Germain. Sends particulars of the proceedings of the Five Nations and rangers under Butler, on the frontiers of Pennsylvania and New York. 219

August 11, Detroit. Hamilton to Haldimand (extract). An account of the Illinois being overrun by the rebels and Rocheblave taken prisoner (See B. 122). 246

August 26, Montreal. Haldimand to Hamilton. That the injury he reports, if it cannot be retrieved, may be stopped from going further. The expediency of supporting the Wabash Indians. How they might be most usefully employed to cut off the retreat of the rebels and disturb the communication by the Ohio, so as to make the attempt fruitless. Outline of the mode in which the Indians might work, so that the river might never be left without a force to attack the rebels. To try to communicate with Stuart, the Southern Indian Superintendent; Detroit to be reinforced from Niagara; respecting the importation of supplies. How the powder, balls, &c., are to be disposed of (See B. 122). 250

August 27, Montreal. Same to Bolton. Sends copy of letter to Hamilton, to indicate the steps he is to take to co-operate with him. To try to get Indian auxiliaries to act with Hamilton. Particular instructions to be given to the commanders of the armed vessels. Has every confidence in his experience to defend his post. Reinforcement to be sent, from which a detachment is to be sent to Detroit. To draw, if necessary, a detachment from Carleton Island. To take measures (indicated) to protect the merchandise at the carrying place of Niagara. 254

August 27, Montreal. Same to Hamilton (secret and confidential). To be informed as to the means to be used to recover the Illinois. (See B. 122). 257

August 30, Montreal. Same to de Peyster. Portion of the letter respecting the steps to be taken for the recovery of the Illinois (the letter is given in full in B. 96–1). 259

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August 31, Michillimakinak. De Peyster to the Commander-in-Chief. Chevalier, of St. Jos reports that the rebels are in possession of all the Illinois. (Se 97). Page

September 2, Whitehall. Germain to Haldimand (No. 9). Has received word of his arr &c. (See B. 43).

September 11, Sorel. Haldimand to Germain (No. 5). Rebel parties overrunning Illinois. (See B. 54).

September 15, Michillimakinak. Louis Chevalier to de Peyster (in French). Affairs in the Illi (See B. 97–1).

September 18, Sorel. Haldimand to Germain. Arrival of the "Brilliant," but without from Placentia. (See B. 54). This letter, like the preceding, is ma No. 5.

September 19, Sorel. Same to Captain Pearson, R.N. That the ships of the Royal N should winter at Quebec.

October 1, Wyatulimong. Hartley commanding the forces of the United States, to the c and principal Indians of Chemung, &c. Reprimands the Indians killing women and children. The success of American arms gives King of England no hope of conquering, &c.

October 3, "Garland" off Quebec. Pearson to Haldimand, enclosing his instructions from the Admir (See B. 140). The letter at p. 296. Instructions, p. 294. 294-

October 5, Sorel. Haldimand to Pearson. Insists that part of the fleet remain. rangements proposed for convoy.

October 6, Conuntasag. Captain Johnston to Butler. Forwarding letters. Arrival of war from the upper villages makes the present number 196 fit for act when joined by the Coyonhugas there will be upwards of 300. C to be sent to a place of greater security. Syanguraghton wishes more powder; the rebels are 1,400 or 1,500 strong. Helpless frien Government are on the way to Niagara.

October 7, "Garland" off Quebec. Pearson to Haldimand. Giving reasons in detail for obeying orders of the Admiralty. (See B. 140, p. 13).

October 9, Sorel. Haldimand to Pearson. Further respecting ships of the Royal N being left at Quebec for the Winter.

October 10, Sorel. Same to Germain (No. 6). Send copies of letters respecting the running of the Illinois by the rebels.

October 12, Niagara. Bolton to Haldimand. Bill of exchange drawn. Butler will account of Indian affairs. (See B. 100).

October 12, Sorel. Haldimand to Germain (No. 7). Respecting the defence of frontiers, &c. (See B. 54, p. 25 in which the letter is dated 14th).

October 12, St. John's. Macbean to the Board of Ordnance. Urging that he should receiv additional allowance of twenty shillings a day like other officer his rank.

October 14, Sorel. Haldimand to Germain (No. 8). Dispatches received. Citade Quebec, &c. (See B. 54, p. 23, in which the letter is dated the 12th.)

October 15, Sorel. Same to same (separate). The determination of the rebels to Canada, &c. (See B. 54, p. 30).

October 16, St. John's. Macbean. Demand for ordnance stores.

October 17, Sorel. Twiss. Demand for tools for the field service of engineers.

October 24, Quebec. Haldimand to Germain (No. 9). The impropriety of withdraw ships of war, &c. (See B. 54, p. 46).

October 24, Quebec. Same to Knox. Late arrival of Indian goods, &c. (See B. 54 57).

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Remarks by Lieut.-Colonel Campbell, on Indian goods received by the ship "Andrew." Same date. Page 365

Indent of goods suitable for Indian presents. No date. 368

October 24, Quebec. Willoc to Germain. That he is still here and not released from his parole, so that he cannot be employed. 359

October 25, Quebec. Haldimand to Germain (No.10). Sends presentments of the Grand Jury of Montreal against De Jean, &c. (See B. 42). 336

The two presentments follow; dated 7th September. 340–353

No date. Hamilton to Germain. Arrival of express from the Illinois reports that Kaskaskias had been surprised at night and Rocheblave seized and put in irons. They had exacted an oath of allegiance from the inhabitants. A detachment sent to Kahckias to receive its submission. Has no doubt that Vincennes is summoned, as a French priest (Gibault), had his horse ready saddled to proceed there. He is a man of infamous morals. Celoron goes off to Ouiatonon with belts and speeches for the Indians of the Ouabash, who have engaged to act against the rebels. With regard to the troops to occupy the posts, there is but a single regiment between Montreal and Michillimakinak; between the posts on the lakes and New Orleans there is not a single fort or garrison to check the French or Spaniards, to molest the rebels, or to keep the Indians or inhabitants in awe. The present tractable disposition of the Indians is to be made the most of. There is not a single vessel at the post, and the officer commanding the troops has received orders that deprive him (Hamilton) of all authority. Has received no instructions from England or Quebec. From what passes on the Mississippi, there is apparently a foreign war, and French, Spanish and rebels are in treaty with the Indians at St. Joseph's. Rocheblave reported, before his capture, that four British frigates were in the mouth of the Mississippi. The banditti who have been alarming the country will soon have to retire. The Indians have lately returned, having met with tolerable success. 230

Fraser to the same. Respecting his loss of office from being taken prisoner. 23

Estimate of Lieut. Governor Cox of the cost of building a schooner of 60 or 70 tons, for visiting the coasts of Gaspé and Labrador, 363

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October 7, Detroit. Hamilton to Haldimand. Sends a detail of occurrences since his diary, beginning 22nd September, was closed. (See B. 122, p. 211). 130

October 8, Niagara. Monthly return of the different posts upon the lakes garrisoned by the King's (8th) Regiment, and artillery. 81

October 14, Rocher de Bout. Hamilton to Haldimand. His arival, &c. (See B. 122, p. 217). 135

Enclosed is an account of the proceedings of the rebels at Vincennes, as related by Neegik, an Ottawa war chief, sent to gain intelligence. 137

October 24, Michillimakinak. De Peyster to Haldimand. Will endeavour to get the Indians to reinforce Hamilton, &c. (See B. 96–1, p. 19). 234

October 25, Upper Shawanese Town. McKee to Lernoult. Report of an expedition against Detroit. (See B. 100, p. 77). 240

October 27, Michillimakinak. De Peyster to Haldimand. Sends Langlade and Gauthier to co-operate with Hamilton, &c. (See B. 96–1, p. 23.) 238

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October 28. Account of bills drawn by the officers at the upper posts pa
date. Pa

October 28, Miamis Town. Hamilton to Haldimand. The progress of sending up provision
(See B. 122, p. 222.)

October 28, Boston. Proclamation (in French) by d'Estaing to all the French in
America.

November 1, Carleton Island. State of the garrison.

November 1. List of field officers of the British and German troops in Canad
seniority, with the dates of their commissions.

November 1. Monthly general return of the British army in Canada.

November 1. General monthly return of German troops in Canada.

November 1, Petite Rivière. Hamilton to Haldimand. Provisions sent to the Wabash, &c.
B. 122, p. 224).

November 13, Niagara. Bolton to the same. The Indians dispersed before Hamilton's
dition was known. (See B. 100, p. 74).

November 17, Onondella. Walter Butler to Bolton. Account of his having burned the
ment, &c. (See B. 100, p. 82).

November 21, Quebec. Haldimand to Germain (No. 15). Respecting Hamilton's expe
to the Illinois, &c. (See B. 54, p. 61).

December 4, Quiatonon. Hamilton to Haldimand. Indians joining from different quarte
(See B. 122, p. 228).

December 18, Boston. Letter (in French) from Lafayette to the Indians of Canada, a
ing to them to join him in favour of the Americans.

December 18 to 30, Vincennes. Hamilton to Haldimand. Capture of the post, &c. (See B.
235), in which the letter is dated the 28th.
The oath of allegiance of the inhabitants is enclosed.

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Return of the Militia of Vincennes in pay of the rebels enclosed.

January 4, Fort Pitt. John Dodge to John Montour. His escape from Quebec, &c. (
122, p. 308).

January 11, Quebec. Speech and addresses at the opening of the session of the Legis
Council.

January 13, Vincennes. Hamilton to the Spanish Governor at New Orleans. (See B
p. 263).

January 18, Cooshocking. Galalemend to John Montour (endorsed Captain John Killbuck to
Montour), that he and his counsellors desire to see Montour, &c.
B. 122, p. 308).

January 19. Zeisberger to Gibson at Fort Lawrence. Plan of Symon G
(Simon Girty) to get Gibson's scalp, &c. (See B. 122, p. 311).

January 22, Fort Lawrence. John Gibson to Brigadier McIntosh. Clothing received, &c. (
122, p. 309).

January 22, Fort Lawrence. Same to Colonel Brodhead. Sends copy of Zeisberger's lette
(See B 122, p. 314).

January 22, Fort Lawrence. Same to Colonel Morgan. Sends copy of Zeisberger's lette
(See B. 122, p. 315).

January 22, Fort Lawrence. Same to Major Taylor at Fort Pitt. Arrival of clothing, &c.
B. 122, p. 316).

January 24, Vincennes. Hamilton to Haldimand. Plans of the Southern Indians to atta
rebels, &c. (See B. 122, p. 266).

January 24, Niagara. Return of provisions issued out of the King's stores at Ni
between 25th December, 1778, and date.

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January 26, Vincennes. Substance of a conference with Indians at Fort Sackville. (See B. 122, p. 273). Page 181
January 30, Vincennes. State of the Garrison of Fort Sackville. (See B. 122, p. 287). 191

February 2, Montreal. Col. Campbell to Haldimand, respecting his claim to command in absence of the senior officer. (See B. 111, p. 42). 325
February 11, Quebec. Haldimand to Campbell. That he has no claim to the military rank, his office being civil. (See B. 111, p. 43). 326
February 12, London. Memorial (in French) by James Hughes and the Count Dupré, respecting the lands on Labrador from the Straights of Belle Isle, granted to their father-in-law, the late M. Brouague, which have been taken by Murray and given to strangers. These lands belong to six heirs, and were the only property left to them after the siege of 1759, their houses being then burned. Therefore, hope that the promise made to them in respect to these lands may be fulfilled. 1
February 16, London. Rev. Samuel Peters to Germain, respecting the claims of Colonel Peters for raising Provincials, &c. (See B 43, p. 140). 14
February 24, Fort Sackville Terms of the capitulation by Hamilton of Fort Sackville. (See B. 122, p. 296). 262
March 2, Quebec. Haldimand to Germain (No. 16). Continued threats of the rebels to invade Canada, &c. (See B. 54, p. 76). 87
March 8, Vincennes. Hamilton to Lernoult. Pass to Cournailler with recommendation from Jehu Hay. (See B. 122, p. 297–298). 271–272
March 9, Vincennes. G. R. Clark to Patrick Henry. Cannot obtain the horses wanted. (See B. 122, p. 304). 263
March 10, Vincennes. Same to Harrison, Speaker, acknowledging the thanks of the House. (See B. 122, p. 307). 266
March 12, Vincennes. Joseph Bowman to Patrick Henry. Returning thanks. (See B. 122, p. 303). 268
March 12, Sandusky. Bird to Lernoult. Has taken it on him to stop the vessels, &c. (See B. 122, p. 336). 228
March 13, Fort Patrick Henry. George R. Clark. Warrant to William Mories. (See B. 122, p. 302). 261

March 16, Vincennes. Same to Lernoult. Sends letters left by prisoners. (See B. 122, p. 301). 273
March 17, Fort Erie. Mathews to Bolton. The ruinous state of the works. (See B. 100, p. 123). 230
March 20, Vincennes. Bowman to Lernoult, asking for the release of Bentley. (See B. 122, p. 299). 275
March 21, Vincennes. Lieut. John Girault to the same, for the release of Bentley. (See B. 122, p. 300). 276
March 25, Niagara. Mathews to Bolton. Respecting the damage to the works at Niagara. (See B. 100, p. 121). 232
March 29, Michillimakinak. DePeyster to Haldimand. Renewed efforts to reinforce Hamilton at Vincennes. (See B. 96–1, p. 27). 201

March 31, Montreal. Campbell to Haldimand. Reiterating his demand for rank and pay. (See B. 111, p. 44). 328
March 31, Whitehall. Germain to Livius. That he has been restored to his office of Chief Justice. 18
April 2, Niagara. Bolton to Haldimand. Letter from Lernoult with an account of Hamilton's capture, &c. (See B. 96–1, p. 258). 204
April 4, Falls of the Ohio. Squire Boon to Arthur Comble. Would prefer to get back his horse. (See B. 122, p. 330). 269

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April 6, Whitehall. Knox to Haldimand. Respecting Indian presents which Col. Campl by his letter of 24th October, 1778, pointed out as deficient. (Se 43, p. 60). Pag

April 8, Quebec. Haldimand to Campbell. Repeating that his office is civil and c not entitle him to military command. (See B. 111, p. 46).

April 16, Whitehall. Germain to Haldimand (No. 10). (For calendar, see B. 43, p. where the date is given as 10th April).

April 16, Whitehall. Same to the same (No. 11). The restoration of Livius. (See B. p. 63, where the letter is marked No. 10 instead of 11).

April 16, Whitehall. Same to same (No. 12). Respecting the purchase of Greenwood Higginson's Seigniory. (See B. 43, p. 110).

April 16, Whitehall. Same to same (No. 13). Royal Highland Emigrants put on establishment of the army and numbered 84th Regiment. (See B. 50 30).

April 16, Whitehall. Same to same (No. 14). Respecting Finlay's application to be supe tendent of posts. (See B. 50, p. 31).

April 16, on board the "Brilliant." Allan Maclean to DeGrey. Respecting the memorial of Lieut. J McLean of the first battalion of the 84th, stating his case, &c.

April 17. Captain Chene's account of the capitulation of Post Vincennes, dated, received at Quebec on the date given in the margin. (See B. p. 337).

April 19, Whitehall. Germain to Haldimand (No. 15). Respecting the memorial of Sam MacKay, the allowance to Mr. Fraser, &c. (See B. 50, p. 33).

April 19, La Baye. Gautier to de Peyster (in French). His attempt to reinforce Hamil (See B. 97–1, p. 100).

April 23, Whitehall. Germain to the Lords of Trade. To take into consideration what st may be necessary to amend the law regulating the duties of the Cl Justice in Canada.

The report of the Lords of Trade on the subject, dated 1st July.

May 2, Michillimakinak. DePeyster to Haldimand. News of Hamilton's disaster. (See 97–1, p. 103).

May 7, Huron Village Monforton to Lernoult (in French). Respecting the information gi by a Huron. (See B. 122, p. 345).

May 13, Michillimakinak. DePeyster to Haldimand. Reported building of rebel vessels Milwaukee not true. (See B. 97–1, p. 108).

May 20, Niagara. Bolton to the same. The state of affairs at Detroit; doubts of Indians, &c. (See B. 100, p. 143).

May 24, Quebec. Return of provisions remaining in the different magazines in Can on this date.

May 24, Quebec. Monthly return of the numbers and denominations of people victual and number of rations drawn, between the 25th April and date.

May 26, Quebec. Haldimand to Sir Henry Clinton. Enclosing copies of intellige from the upper country, &c. (See B. 147, p. 49).

May 29, Quebec. Same to Germain (No. 17). The importance of the citadel Quebec. (See B. 54, p. 82).

June 2, Quebec. Return of provisions and liquors forwarded from Lachine and Cedars. (See B. 192, p. 95).

June 6, Quebec. Distribution of provisions for 15,000 men to be victualled in Cana (See B. 192, p. 99).

June 7, Quebec. Haldimand to Germain (No. 18). Threats of rebels during the wint (See B. 54, p. 85).

June 15, Quebec. Same to same (No. 19). The case of Stiles, master of the "Viper killing a man on press gang duty. (See B. 54, p. 322).

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June 18, Quebec. Haldimand to Germain (No. 20). Plan for a corps of artificers for the fortifications at Quebec. (See B. 54, p. 106). Page 285

The plan proposed by Twiss follows, dated 12th June. (See B. 154, p. 183.) 287

June 18, Quebec. Haldimand to Germain. Dispatches sent by Capt. Beacroft. (See B. 54, p. 114). 291

June 18. Quebec. Same to same (secret). The rebel preparations to invade Canada. (See B. 54, p. 109). 292

June 19, Whitehall. Germain to Haldimand (secret and confidential). In consequence of the hostile proceedings of the Spanish Court, Brigadier General Campbell, commanding in Florida, has been ordered to attack New Orleans. Indians to be collected at the upper posts and as many loyalists as possible to assist. 50

July 8, Whitehall. Same to same (separate). The Count du Pré is returning to Quebec on his private affairs; desires that he may be appointed to a seat in the Legislative Council when a vacancy occurs. His claims on account of damage to his property by the rebels recommended for consideration. (See B. 43, p. 158.) 56

July 8, Whitehall. Same to same. (No. 16). Respecting the Illinois country, &c. (See B. 43, p. 155). 58

July 19, Whitehall. Same to same (No. 17). With mandamus to appoint Peter Livius Chief Justice. (See B. 43, p. 162). 62

July 19, Whitehall. Same to same (No. 18). Sends instructions respecting constitution of the civil courts in the Province of Quebec. (See B. 43, p. 165). 63

July 19, Whitehall. Same to same (No. 19). Capture of his dispatches, &c. (See B. 43, p. 166). 64

July 22, Whitehall. Same to Livius. That in present circumstances in North America all officers, &c., civil as well as military, are to repair to their stations; he is, therefore, to return to Quebec without delay. 67

July 23, London. Livius to Germain. The vessels with the first convoy being out of the river, it is impossible to get his baggage on board. Asks for an extension of his leave of absence. 68

July 30, Whitehall. Knox to Haldimand. Receipt of dispatches. Sloop sent to Cork as a convoy to the victuallers. (See B. 43, p. 168). 304

July 30, Whitehall. Same to the same (private). That necessaries have been sent out, &c. (See B. 43, p. 160). 306

August 3, Whitehall. Germain to the same (No. 20). Delay in receiving dispatches. Supplies sent out. (See B. 43, p. 169). 308

August 4, London. Livius to T. DeGrey. Has asked to be presented to the King and hopes to have his leave extended. 314-310

August 8, Genesee River. Memorandum by Major Butler, respecting the execution of officers of the Rangers when taken prisoners. (See B. 105, p. 169). 358

August 16, Niagara. Bolton to Haldimand. Butler reports the arrival of the enemy at Tioga and the disagreeable situation of the Six Nations; they are dissatisfied that post has not been taken at Oswego; their uncertainty how to meet the rebels, who were advancing on all sides, and asked for a part of the troops to help them, &c. Their changed behaviour, so that it is necessary to take post at Oswego or to send reinforcements; 500 men would secure the Indians and save Detroit. He has written to Major Nairne at Carleton Island respecting men. 360

August 19, Whitehall. Germain to the same (No. 21). Armed ship sent with supplies. (See B. 43, p. 174). 315

August 28, Fort Bowman. Commission given by the rebels to Kinaytounak, a Renard Chief. (See B. 122 p. 136). 256

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September 13, Quebec. Haldimand to Germain (No. 21). The claims of St. Luc and Camp bell, Indian Department, to command and pay in the army. (See B 54, p. 123). Page 32

September 13, Quebec. Same to same (No. 22). The refusal of the proprietors to sell th Seigniory of Sorel. (See B. 54, p. 127). 33

September 13, Quebec. Same to the same (No. 23). Finlay's application to be mad superintendent of posts. (See B. 54, p. 129). 33

September 13, Quebec. Same to the same (No. 24). Has received authority to issue lette of marque. (See B. 54, p. 131). 33

September 13, Quebec. Same to same (No. 25). Has investigated the reason for a junio officer being promoted over McLean. (See B. 54, p. 132). 33

September 13, Quebec. Same to same (No. 26). Will promote the safety of this Provinc The case of Simon Fraser. (See B. 54, p. 133). 33

September 13, Quebec. Same to same (No. 27). Will investigate the case of Mackay an Peters. (See B. 54, p. 134). 34

September 13, Quebec. Same to same (No. 28). Will attend to the instructions in the cas of Livius, &c. (See B. 54, p. 135). 34

September 13, Quebec. Same to same (No. 29). Is apprehensive that the Indians of the upp posts will ally themselves with the rebels. (See B. 54, p. 144). 35

September 18, Quebec. Same to John Robinson, Treasury. The quantity of flour, &c available. (See B. 59, p. 42). 35

October 14, Spithead. Valinière, priest, to Germain (?) (in French). That he is still de tained on board the "Convert." Asks to be tried, if thought guilty or released if believed to be innocent. 31

No date. Memorandum by Livius, with the title; "In order that impartial an substantial justice may be easily attained in Canada by a course of law three points are principally to be attended to." These are: 1. To in terpose authority between the sword and the people. 2. To divide th supreme judicial from the legislative authority. 3. To establish a jud catory for small causes. These points elaborated. The memorandum ends with a statement of his claims for salary as Chief Justice.

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May 28, Philadelphia. Additional to the proclamation (in French) at page 297 of Q 16—1. Page 38

July 12, Quebec. State of the Anhalt Zerbst Regiment. (The names of all the soldier are given.) 435 to 50

August 10, Canadasagoe. Butler to Bolton. The rebels have established a post at Pine Cree and are further advanced. The enemy from Wyoming have been seen si miles below Tioga. Montour has gone down to reconnoitre. The chief desire that all Indians about Niagara should come here, marching nigh and day; those who do not come to get no provisions. As many as ca be spared of the garrison should also be sent, as this is to be the plac of rendezvous. The enemy mean to establish a strong post at Tioga Ammunition and mocassins wanted. 36

August 11, Canadasagoe. The same to Captain Butler. With information and further detail of the movement of the enemy to Tioga. On the 12th he is ordered t join with every man fit for duty, and provisions: Four or five boats t be sent for use on the Genesee River. 36

August 22, Carleton Island. Message from David, a Mohawk chief, for assistance against th rebels. 37

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August 26, Chuckmet. Butler to Bolton. Expected engagement, the enemy being 12 miles off. (See B. 100, p. 232.) Page 570

August 29, Quebec. Haldimand to Clinton. Respecting the treatment of Hamilton and his officers, of which a representation should be made to Washington. The Indians are greatly exasperated over the barbarity. (See B. 147, p. 71.) 369

August 29, Quebec. The same to Washington. Calling attention to the barbarous treatment of Hamilton and his officers, contrary to the common rules of war observed amongst civilized nations. 371

August 31, Schechquago. Butler to Bolton. His engagement with the enemy, &c. (See B. 100, p. 244.) 573

September 1, L'Assomption. Muster of the Hesse-Hanau troops by Holland. (The names are all given.) 393 to 434

September 1, Cataragaras. Docksteder to Bolton. Attack on Indians on the Ohio. (See B. 100, p. 251.) 581

September 3, Canadasago. Butler to the same. Boats wanted to carry off the sick. (See B. 100, p. 252.) 582

September 4, St. Charles. State of the Brunswick troops. (The names are all given.) 501 to 561

September 6, Niagara. Bolton to Nairne at Carleton Island. That Butler has been obliged to retreat to Canadasago. The strength of the enemy; asks for the light company of the 34th and 50 men besides. 380

September 7, Niagara. The same to Haldimand. The position of Butler and the little hope of Indian assistance. Notes on the 8th and 10th, at the end of the letter, give an account of the movements of the rebels at Venango and Canadasago. (See B. 100, p. 257.) 586

September 8, Canawagaras. Butler to Bolton. Rebels in possession of Canadasago, they are reported to be 3,000 strong. (See B. 100, p. 262.) 583

September 13, Quebec. Haldimand to Germain (No. 30). Suggests offering a pardon to French Canadians who have joined the rebels. (See B. 54, p. 149.) 376

September 13, Quebec. The same to the same (No. 31). The critical state of the upper posts. The slackness of the Indians. (See B. 54, p. 150.) 379

September 13, Quebec. The same to the same (No. 32). Acknowledges dispatches and sends quadruplicates. (See B. 54, p. 151.) 383

September 13, Quebec. The same to Knox. Invoice of goods by the "Three Brothers" received, the goods arrived and forwarded to Montreal to fit out the Indians. 378

September 14, Quebec. The same to Germain. The appointment of Holland as Deputy Commissary of musters; doubts with whom rests the appointment. 391

September 14, Quebec. The same to the same (secret and confidential). The state of the Province, &c. (See B. 54, p. 177.) 591

Strength of the British troops from Oswegatchie to Quebec follows. 601

September 14, Quebec. Holland to Germain. The delay he met with in coming from New York to Quebec; his appointment as commissary of musters to the German troops. 392

September 14, Buffalo Creek. Butler to Bolton. Had left Canawagoras and taken post to surprise the enemy. The force discovered by the enemy's scout, 30 in number, 22 of whom were killed and the lieutenant and a private taken. The enemy consists of 5,000 Continentals, who intend to go no further than Genesee; they are building a strong fort at Tioga. He (Butler) retreated to Genesee having only 400 men, closely followed by the enemy. Is now on the march for Niagara; the Indians are bringing their families with them and after leaving them at Niagara will return for revenge. 607

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September 16, Niagara. Bolton to Haldimand. That 4,000 rebels are at Genesee within 70
80 miles of this post. (See B. 100, p. 269.) Page 6
September 18, Quebec. Haldimand to de Grey. Had received letter by Fraser; would be hap
to show his opinion of his worth. 5
September 20, Niagara Butler to Haldimand. The reinforcements sent up are too late to sa
the country of the Five Nations from being completely destroyed. H
been obliged to retreat from Genesee from want of provisions; the reb
had burned the village, destroyed the corn and made a hasty retre
but does not yet know which road they have taken. Is sending scou
to reconnoitre as far as Oswego, so as to ascertain if there are desig
against this post. The Indians still seem unshaken in their attachme
to His Majesty's cause. 6
September 25, Quebec. Haldimand to Germain (No. 33). Sends letter from Bolton. T
designs of the rebels against Niagara, &c. (See B. 54, p. 185.) 5
October 3, Quebec. The same to the same (No. 34). The retreat of Butler. (See B.
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October 24, Quebec. The same to the same (No. 36). Has summoned the councillors, &
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October 24, Quebec. The same to the same (No. 37). The danger of innovations in t
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Schanks and Chambers. (See B. 54, p. 217.) 6
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a priest; his insubordination towards his ecclesiastical superiors. (S
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227.) 6
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Returns enclosed. 711 to 7
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sent to his (Knox's) office, so as to have them properly forwarded. 7

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December 22, London. Rt. Jackson, that there is no legal cause to hold la Valinière, and advises the Secretary of State to leave the Captain to use his discretion in respect to him. Page 715

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September 18, Machias. John Allan to Valnais. (extracts). Complains of the evils caused by the invasion of Penobscot. (Whole letter, B. 184—1, p. 193.) Page 11

September 27, Machias. Stephen Jones to Benjamin Hitchborne. Refusal of the militia to do garrison duty. (See B. 184—1, p. 222.) 22

September 28, Machias. John Allan to the Commander-in-Chief, U. S. troops (extracts.) (For the whole letter see B. 184—1, p. 242.) 8

October 4, Machias. The same to Nathan Barber (extracts). The bad effect of allowing communication with Nova Scotia. (For letter in full see B. 184—1, p. 255.) 20

October 4, Machias. George Stilman to Dr. Fish. (See B. 184—1, p. 260.) 30

October 14, Machias. La Motte to Valnais (in French). His charges against d'Abadie, &c. (See B. 184—1, p. 311, where the date is given as the 24th.) 33

November 1, Quebec. Haldimand to Germain (No. 49). Has refused Colonel Maclean pay as Brigadier. (See B 54, p. 258). 1

November 1, Quebec. The same to the same (No. 50). Return of Sir John Johnson from an unsuccessful expedition. (See B. 54, p. 259.) 2

November 1, Quebec. The same to the same (No. 52). That he has given permission to raise loyalist corps. (See B. 54, p. 266.) 54

November 2, Quebec. The same to the same (No. 51). Has sent away Michel Voyer, lately come from Boston. (See B. 54 p. 265.) 52

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January 28, Quebec. The same to the same (No. 56). Remarks on a dispatch of Colonel Johnson's. (See B. 54, p. 279.) 97

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February 14, Quebec. Allsopp's opinion as to the additional instructions. 307

February 14, Quebec. Grant's advice, opinion and reasons respecting the additional instructions. 311

February 15, Michillimakinak. Sinclair to Haldimand (extract). Half of the goods sent last year will purchase all the furs here; the other half remains for the benefit of the traders; their impatience of all restraint. The augmentation of furs to Canada may be owing to encroachments on the Hudson Bay Co. and the traffic with the Spanish traders. The increase in the importation of British goods probably arises from presents to the Indians and from some sliding into the rebel colonies. Every care will be taken to

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August 11, Whitehall. Germain to Haldimand (No. 27). The appointment of Major General Clarke to the staff in Canada. (See B. 44, p. 51, the return of recruits at 51*a* not in this volume.) Page 112
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August 14, Whitehall. Knox to Clarke. Sends dispatches to Haldimand and letters to the commanding officers of the German recruits. 116
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October 25, Quebec. Same to the same (No. 69). Asking interference on behalf of Ursuli Nuns, Three Rivers. (See B. 54, p. 388). 67
October 25, Quebec. Same to the same (No. 70). Giving details of Indian expeditions, & (See B. 54, p. 389.) 67
October 25, Quebec. Same to the same (No. 71). Transmitting requisitions for stores. (S B. 54, p. 394.) 68
Detailed lists. 681 68
October 25, Quebec. Same to the same (No. 72). The capture of Forts Anne and Georg by Major Carleton. (See B. 54, p. 395.) 71
There is a postscript (not in B. 54) reporting the success of Sir Joh Johnson on the Mohawk River; that he had destroyed the settlements

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Scohary and Stone Arabia, he had laid waste a great extent of country. He had come off victorious in several engagements with the enemy, in one of which (near Stone Arabia) he had killed a Colonel Brown, a notorious rebel and 100 officers and men. Many of his own missing will no doubt find their way to Oswego or Niagara. Page 720

Return of the killed and wounded under Major Carleton, 11th October. 722

Return of rebels killed and taken on the expedition to the Mohawk and return of killed, wounded and missing of Sir John Johnson's detachment. 723

October 25, Quebec. Haldimand to Germain (No. 73). The want of a supply of rum, &c. (See B. 54, p. 397.) 724

List of medicines wanted. 725

Representation of Day, Commissary General, of the want of rum. 730

October 25, Quebec. Haldimand to Germain (No. 74). Leave of absence to Captain Dunlop. (See B. 54, p. 398.) 731

October 31, Quebec. Same to the same (No. 75). The necessity for an early supply of provisions. (See B. 55, p. 17.) 733

Return of provisions required. 734*a*

October —, Detroit. Estimate of Indian goods, &c., for a year's consumption at Detroit, signed by A. S. de Peyster. 715

November 10. Riedesel to Willoc. Memorandum respecting the Brunswick prisoners of war taken in 1777. 743

November 20, Quebec. Haldimand to Germain (No. 76). Non-arrival of the fleet. (See B. 55, p. 18.) 736

A postcript reports the arrival of a vessel from Halifax, which sailed in company with H. M. S. "Garland," the latter had struck on a rock and returned to Halifax. No ships were seen as the vessel came up the Gulph. 740

GOVERNOR HALDIMAND, 1781.

Q. 18.

1780.

February, 15, Michillimakinak. Sinclair to Germain. That the circular has been received and assistance will be given to Brigadier General Campbell. Page 7

August 8, London. Harley & Drummond to Cochrane. Respecting the supply of speciefor the service of the Crown in Canada. Enclosed in letter from Cochrane to Haldimand of 1st June, 1781. 79

October 25, Quebec. Haldimand to Germain (No. 64). Respecting shipment of timber. (See B. 54, p. 350; the letter is not in Q. 17 in its proper place.) 57

October 29, Quebec. Allsopp to Germain. That the proceedings of the Council being in his opinion in violation of the King's instructions, he has been obliged to enter his dissent on the journals and now addresses His Lordship. He asks that all the proceedings be read and that an impartial inquiry be made on the spot as no dependence can be placed on information now transmitted. Trusts that reports sent against him may not act to his prejudice. His public services, yet in spite of these he has been hardly dealt with, instances of which treatment he gives. He has been patient under his treatment and has not troubled His Lordship with complaints. States that a letter addressed to him was opened and closed with a wafer. He is either worthy or not of a seat in the Council, but that is for His Majesty to determine. The Indian expenditure extravagant, but the accounts are only audited by a part of the Council, not the best qualified to check such accounts, &c. 1

November 9, New York. Sir Henry Clinton to Haldimand. Copy of letter received in cypher. That an attempt against Canada is probably intended as soon as the

1780.

winter is so set in as to render naval operations improbable. Is incli to believe that there is a combination in Canada to join the French. armament intended against Cnnada must trust for provisions to country. Suggests that the inhabitants be deprived of everything that sort except what is required for the support of their families.

Page

November 20, Niagara. Guy Johnson to Germain (No. 16). Has reported the good cond of the Indians, which continues; their services under Sir John Johns During the campaign they have killed and taken 14 rebel officers 316 men and destroyed 714 houses and granaries full of grain, with head of horses and cattle, 6 small forts and several mills, which affor the rebels the most convenient supplies. Hopes to retain the Delaws who have been tampered with. The good conduct of the Oneidas si their return to allegiance; the few who remain with the rebels can of little use to them. The arrangement for settling the Indian offic during the winter. Indian parties shall be sent out. General rema on the good conduct of his officers.

November 21, Quebec. Haldimand to Knox. Respecting additional Indian arms.

November, 22, Arlington. Chittenden to Governor Clinton. Transmits copy of his letter Congress, 25th July. (See B. 175, p. 60, the letter to Congress is in same volume, p. 26.)

November 28, Quebec. Haldimand to Germain (No. 81). Respecting the policy of giv the merchants credit for bills of exchange. (See B 55, p. 32).

November 28, Quebec. Same to John Robinson, treasury. The difficulty of gett money for bills of exchange, except by giving credit. (See B. 59 81.)

December 12, Arlington. Chittenden to Governors Turnbull and Hancock. Transmits his let to Congress of 25th July. (See B. 175, letter to Turnbull, p. 62, Hancock, p. 66.) 165-

December 19, New York. Hamilton to Germain. That his misfortune of failing would doubled if he could not acquit himself. The treachery and ingratitude of Canadians were the cause. His strict imprisonment in Virginia was reason for not informing His Lordship; so soon as his exchange effected he shall proceed to England for orders, but as he is on parole must await an exchange.

December 20, Quebec. Haldimand's instructions respecting negotiations with Vermo (The document is endorsed "Instructions to Isle aux Noix.")

1781.

February 3, Whitehall. Grey Elliot to Benjamin Thompson. The Lords of Trade desire G main to ascertain the reason why Haldimand did not communicate the Council the royal instructions he had received.

February 13, London. Merchants of London to Germain. For more efficient convoys for Quebec trade.

A second memorial on the same subject and of the same date, point out the great hindrances to their trade.

March 9, Sunderland. Ethan Allen to Samuel Huntington. Enclosing two letters fr Beverly Robinson. (See B. 175 p. 71; the letters from Beverly Robins are in the same volume, pp. 19 and 22.)

March 10, Sunderland. Ira Allen to the same. Sends, in his private capacity, an Act the State of Vermont laying jurisdictional claim to lands therein sp fied, with extract of an Act purporting to be articles of union betw Vermont and a convention held at Cornish in February last. Infor tion sent by a New York member of Congress respecting the transfe lands from Virginia and its bearing on the case of Vermont. (See 175 p. 75.)

March 20, Whitehall. Germain to Haldimand (No. 29). Dispatches received; his dema shall be complied with. (See B. 44, p. 64.)

1781.

March 22, Whitehall. Germain to Haldimand (No. 30). Cramahé to come to England, his presence being necessary to the passing the accounts of the Province. (In B. 44, p. 65, this letter is dated the 21st.) Page 21

The letter from Sir Thomas Mills da ed 19th March, on which the order was sent is appended. 22

April 2, Whitehall. Germain to Haldimand (private). Recommending Ensign Kennedy for promotion. (See B. 44, p. 67.) 24

The application from Mr. Murray, Solicitor-General for Scotland, on behalf of Kennedy. 25

April 12, Whitehall. Germain to Haldimand (No. 31). Storeships ready for sea, &c. (See B. 44, p. 72.) 28

April 12, Whitehall. Same to same (No. 32). The King's satisfaction with his conduct as Commander-in-Chief. (See B. 44, p. 81.) 37

April 16, Whitehall. Same to same (separate). That Captain Willoc be continued in his former situation. (See B. 44, p. 85.) 41-47

April 28, Portsmouth. Willoc to ———. That he has written to Germain. Asks his influence and also to have the title of Aide-de-Camp changed to that of secretary. 45

April 28, Portsmouth. Same to Germain. Riedesel writes that he may be delayed in getting from New York to Canada. He (Willoc) is afraid that if he reaches Canada before word of Riedesel having left New York is received, he (Willoc) may lose his appointment. Asks for an order that he is to be attached to the German troops. 43

May 4, Whitehall. Germain to Haldimand (secret). That M. de Luzerne has received instructions from the French court to dissuade Congress from making any attack on Canada till they have driven the King's troops out of the thirteen Provinces. (See B. 44, p. 86.) 49

May 8, Cork. Major-General Clarke to Knox (?) will deliver dispatches to Haldimand. Is to sail by the "Pandora." 51

May 11, Isle aux Noix. Information of the State of Vermont by Colonel (Ira) Allen. (A certified copy of letter by Sherwood to which no date is attached. The letter dated is in B. 176, p. 76.) 180

May 15, Quebec. Mathews to Sherwood. The flag of truce is a device by Vermont to gain time. (See B. 179, p. 32.) 189

May 17, Quebec. Haldimand to Sherwood. Colonel Allen to be informed that he (Haldimand) has full power to offer terms. (See B. 179, p. 36.) 192

May 21, Quebec. Mathews to the same. How he is to deal with Allen's propositions about the cartel. (See B. 179, p. 40.) 196

May 21, Quebec. Same to same. Transmitting Haldimand's sentiments respecting Vermont. (See B. 179, p. 39.) 198

May 22, Isle aux Noix. Ira Allen does not know when commissioners will be sent or if they will have full power to settle on a reunion with Britain; the idea of neutrality must first be adopted. It is impossible at once to bring over a prejudiced populace; one half of the Assembly and a number of the Council are ignorant of the plans. The affair must be gently and cautiously managed. He will engage that Haldimand will hear from them about the middle of July, when he thinks the commissioners will be sent to exchange prisoners with power to settle whether Vermont is to be united or not. The signals he proposes for communicating. 201

May 25, Isle aux Noix. Substance of what passed in conference with Colonel Ira Allen, between the 8th and 25th May. (See B. 180, p. 59, in which the journal begins on the 7th. The two documents are substantially alike, that in B. 180 being a little fuller.) 139

May —. No signature nor address. The writer had broken out of Northampton gaol on the 23rd December; his arrival in New York, and in February brought letters to General (Ethan) Allen at Arlington, but returned to New York without an answer. Proposals received from Allen to

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join Britain on certain terms; respecting the territories to be firmed to Vermont; suspects that Allen has gone to collect troops ensnare Haldimand's forces. The differences of opinion respecting negotiations and the terms stipulated for by those in favour of reun Preparations making to defend Vermont against any attack. Page

June 1, Quebec. John Cochrane to Haldimand. The impossibility of raising money bills of exchange, without giving credit. (See B. 209, p. 8.)

The letter from Harley & Drummond to Gordon, forbidding him give credit follows.

An extract of a letter from Harley & Drummond of 8th August, 1 to the same effect.

June 10, Quebec. Haldimand to Germain (No. 83.) The appointment to the staf Major General Clarke. (See B 54, p. 38.)

June 11, Quebec. Same to same (No. 84). Dispatches received. Has signified Pownall and Finlay that they have been granted leave of absence. (B. 55, p. 39.)

June 12, Quebec. Same to John Robinson, Treasury. That Harley & Drumm have given positive orders to discontinue giving credit on bills exchange. (See B. 59, p. 83.)

June 12, Quebec. Same to Cochrane. The instructions of Harley & Drummond vent giving credit on bills of exchange. (See B 209, p. 86.)

June 13, Quebec. Same to Germain (No. 85.) Has received dispatches. (See 55, p. 39.)

June 13, Quebec. Same to same (No. 86). Cramahé will be sent as ordered to facili the passing of his accounts. (See B 55, p. 40.)

June 13, Quebec. Same to Knox. Respecting the pension of M. Deschambault his wife. (See B 55, p. 49.)

June 14, Quebec. Same to Germain (No. 87). Concerning the policy of grant bills of exchange. (See B. 55, p. 40.)

June 14, Quebec. Restrictions on the Remitters' Agent (John Cochrane) in disposing bills of exchange on credit.

June 14, Quebec. Haldimand to Germain (No. 88.) Sending dispatches that w prepared last November, but not sent owing to detention of the sh by ice. (See B. 55, p. 41.)

July 5, Quebec. Same to same (No. 89). Sending duplicates. No word of the C fleet. (See B 55, p. 52).

July 6, Quebec. Same to same (No. 90.) Sends minutes, &c., of the Council. (See 55, p. 54.)

Minutes of the Council as a Council of State from 5th December, 17 to 30th April, 1781.

Minutes of the Legislative Council from 13th April, 1780, to 3 April, 1781.

July 7, Quebec. Haldimand to Knox. Information of dispatches being sent different vessels.

July 8, Quebec. Same to Germain (most private.) Arrangements with Chitten and Ethan Allen for a cartel, to be made use of for negotiations w Vermont. (See B. 55, p. 58)

July 8, Quebec. Same to same. Leave of absence to Lieut. Delgarno; he car dispatches.

July 8, Quebec. Same to same (private.) Should Cramahé not return, Lie Colonel Caldwell has applied for the office of Lieut. Governor, who i fit person, but suggests Hamilton to His Majesty; his impartiality, he knows and values Caldwell personally, and has only a slight acquai ance with Hamilton; his knowledge of the country and the people.

July 26, Whitehall. Germain to Haldimand (No. 33.) Victuallers ready for sea, &c. (B. 44, p. 105.)

1781.
July 31, Whitehall. Knox to Haldimand (most secret.) The French Court has refused to send out more troops. (See B. 44, p. 110. In the calendar of the Haldimand papers the date is printed as May 31st, but the letter follows in its true place after July 26th. Page 99

August 20, Quebec. Haldimand to Germain (No. 91.) English and Irish fleets arrived in the St. Lawrence. (See B. 55, p. 62.) 223

September 29, Quebec. Riedesel to Knox. Thanks for obtaining forage money for the officers of the Convention Army for three years to make up their losses. Some are exchanged, but some are still in the enemy's hands, who will require an allowance until exchanged, &c., &c. 219

October 18, Quebec. Willoc to Germain. Had delivered the dispatches; has not yet been appointed, but hopes to be so, and trusts to deserve His Lordship's countenance. 222

No date. Queries and answers respecting the terms to be made with Vermont. 160

Report of the party sent by the commissioners to learn the report of
1782. the rebel flag. 207

April 9, London. Cramahé to Shelburne. Had left Quebec on the 23rd October; had presented his papers to the Treasury, but his presence was not so urgent as represented. Is ready to give information about the Province. (This letter is misplaced; it should be among those for the year 1782.) 26

Ggvernor Haldimand, 1782.

Q. 19.

1781.
June 20, Exeter. M. Weare, Clerk of Assembly, New Hampshire, to Congress. Protests against the delay in settling the claims of New Hampshire. (B. 175, p. 88.) Page 79

July 10, Sunderland. Ira Allen to Haldimand. Reports the proceedings of the Legislature of Vermont. (B. 175, p. 90.) 58

August 2 to 18, Loyal Block House. Extracts of letters from Messrs. A. & B. August 2. Perplexities as to Allen's conduct. (The letter is in B. 176, p. 192, from Sherwood to Mathews). August 9. Fay as unprepared as Allen to close. August 10. Fay is either perfectly honest or a perfect Jesuit. (B. 176, p. 207.) August 15. The news proves that Vermont is helping her rebel neighbours; Faydenies this. (B. 176, p. 220.) August 18. C and B's report differs from others. Fay's apparent sincerity, &c. 73 to 78

August 3, Philadelphia. Representation from the delegates for the State of New York, of the case of that State against the claims set up by the people of the State of Vermont. (B. 175, p. 120.) 82

August 7, Philadelphia. Resolutions of Congress respecting a committee to confer with Vermont. (B. 175, p. 99.) 90

August 9, "Royal George," Lake Champlain. Joseph Fay to Haldimand (private). Having written on the subject of the exchange of prisoners, wishes to write on one of more importance. (B. 175, p. 104.) 63

August 10, Quebec. Du Calvet to Ellis. It is dated "A l' Inquisition du tyran Haldimand" (in French.) Transmits memorial and prays for protection, &c. 254

Note apparently transmitting the memorial, by Louis Jussomme. 256

August 14, Philadelphia. Jonas Fay, Ira Allen and Bez. Woodward, sending to Congress a duplicate of their commission to attend. (B. 175, p. 109.) 93

August 16, Quebec. Haldimand to Messrs. A. & B. (Sherwood and Smyth) (private.) Has received Fay's letter; is disappointed, he has not fuller powers. (B. 179, p. 92, in which the letter is addressed to Sherwood and Smyth.) 67

August 18, Philadelphia. Proposals from the agents for Vermont to Congress. (B. 175, p. 115.) 96

1781.

August 18, Philadelphia. Questions proposed by Congress to the agents for Vermont with t answers. (B. 175, p. 111.) Page 1

August 20. Resolutions of Congress respecting the boundaries claimed by V mont. (B. 175, p. 118.) The Committee was appointed on the 17th. 1

September 8, Quebec. Haldimand to Knox. The chief part of the trade and Cork fleets harbour; the rest at hand. (See B. 54, p. 63.)

September 19, Quebec. Same to Germain. Acknowledges the receipt of Acts passed Parliament relative to trade. (See B. 55, p. 86.)

September 20, Skenesborough. Proposals by Secret Commissioners on the part of Vermont. (B. 1 p. 137.) 1

September 20, Skenesborough. Queries from Capt. A. to the Commissioners of Vermont with th answers. (B. 175, p. 139, in which the name is given as Sherwood). 1

September 21, Quebec. Riedesel to Germain. Has arrived on the 13th, with the exchang officers and men, about 800 in all. Haldimand has given him the co mand of the German troops; re-establishing the Brunswick troops the number they had when they crossed Lake Champlain. The bat ions are weak; had Washington not broken his promise 40 officers m could have been brought, and if Clinton could have exchanged t prisoners now four years in captivity he could have brought 300 m troops, so that the troops of Brunswick, would now be 3,000 effectiv but being disappointed by a breach of public faith on the part of t enemy and the difficulty of making an exchange he must do the best can. Thanks for the *douceur* to the officers, equal to forage money losses, &c. His satisfaction at the approval of his conduct but represe the rank over him given to Clarke, his junior. Gives an instance Sir Henry Clinton's kindnes to him in similar circumstances.

September 21, Quebec. Mabane to Haldimand. The need for a hospital at Quebec; the of he holds is unpaid, &c. 1

September 30, Quebec. A. to Mathews. Transmits information respecting proceedings w Vermont. (B. 175, p. 141, in which the letter is signed, J. Sh wood. 1

September —, Quebec. Riedesel to Germain. Returns thanks for kindness; the alacrity Admiral Graves in supplying a convoy and the good services of Elph stone and Chamberlayn employed on the duty. 1

October 5, Quebec. Proclamation to the principal men and inhabitants of Vermont, s by Haldimand to Sherwood, but never issued. (B. 179, p. 135.)

October 9, Berthier. De Speth to Riedesel. Sends memorial from the officers of t Brunswick troops to be forwarded to Germain. 1

October 9, Quebec. Riedesel to Germain. Forwards petition from the officers of the Bru wick troops with his recommendation. 1

The petition follows. 1

October 19, Quebec. Haldimand to Germain. Will do what he can for Ensign Kenne (See B. 55, p. 81.)

October 20, Quebec. Same to same. Willoc continued in his former situation with t German troops. (See B. 55, p. 85.)

October 20, Quebec. Same to Knox. Has received invoices, &c., of Indian presents. (B. 55, p. 69).

October 20, Quebec. Same to Germain (No. 92). Has received instructions as to t subsistence of prisoners of war. (See B. 55, p. 86.)

October 20, Quebec. Same to same (No. 93). Transmitting duplicates of the Minutes Council. (See B. 55, p. 87).

October 20, Quebec. Same to same (No. 94.) Had received dispatches by General Clar (B. 55, p. 92.)

October 22, Quebec. Same to the same (No. 95). Transmitting Major General Clark application for forage money. (See B. 55, p. 95.)

1781.

The application, dated 19th September, is attached. Page 36

October 22, Quebec. Haldimand to Germain. Leave of absence to Brigadier General Rauschenplat. 39

October 22, Quebec. Same to Knox. Introduces Mr. Pollard. (See B. 55, p. 71.) 40

October 22, Quebec. Same to Germain (No. 97). The enemy's intentions against the Province have been diverted. (B. 55, p. 96.) 45

October 23, Quebec. Same to same. Introduces Sir John Johnson. (See B. 55, p. 86.) 42

October 23, Quebec. Same to same (No. 96.) Acknowledges dispatches, &c. (B. 55, p. 96.) 43

October 23, Quebec. Same to same (most private). Sends duplicates of the negotiations with Vermont. (B. 55, p. 109.) 48

October 23, Quebec. Same to same (No. 98). Success of Brant over a part of Clark's army assembling on the Ohio. (B. 55, p. 98.) 116

October 23, Quebec. Same to same (No. 99). Has taken the only step possible towards closing the hospital at Quebec. (B. 55, p. 100.) 119

Note to Mabane withdrawing his appointment to the hospital, dated 20th September. 123

October 23, Quebec. Haldimand to Germain (No. 100). The state of provisions in Canada has removed impediments to military operations. (B. 55, p. 103.) 127

October 23, Quebec. Same to same (No. 101). Transmitting requisitions from the different departments. (B. 55, p. 103.) 129

Demand for materials and stores of same date. 132 to 161

October 23, Quebec. Haldimand to Germain (secret). Has received information that the French Court advises Congress not to attack Canada. (B. 55, p. 108.) 167

October 23, Quebec. Same to same (No. 102). The only plan for controlling the expenses of the Indian Department. (B. 55, p. 105.) 162

October 23, Quebec. Same to same. Leave of absence to Finlay and Cuthbert. (B. 55, p. 85.) 169

October 23, Quebec. Same to Knox. That he has transmitted requisitions from the different departments. 170

October 27, Ticonderoga. Extract respecting the sending of a letter relating to Vermont but no names given. (The letter in full with the names, is in B. 176, p. 318.) 305

Other extracts on the same subject, including the proceedings of the Vermont Assembly, are given in full in the volumes in series B., beginning at volume 176. 305 to 319

November 18, Quebec. Haldimand to Germain. The critical situation of affairs to the southward prevents the Vermonters from declaring themselves. (B. 55, p. 121.) 299

November 23, Quebec. Same to same (No. 103). Detachments sent to the frontiers. (B. 55, p. 125.) 320

November 23, Quebec. Same to same (most secret). The effect on the minds of the Canadians of the French alliance. (B. 55, p. 129.) 268

1782.

January 2, Whitehall. Germain to Haldimand (No. 34). Is glad to hear of the negotiations with Vermont being in so fair a train. (See B. 50, p. 98.) 1

February 20, London. Cuthbert to Ellis. Asks for an interview to state his complaint for waste and damage suffered on his estates. 228

Account follows. 231

February 21, Quebec. Haldimand to Cochrane. Remarks on the title of Cochrane's accounts &c. (B 209, p. 89.) 280

February 22, Quebec. Cochrane to Mathews. Declines to enter into a controversy with Haldimand. (B. 209, p. 18.) 283

March 5, Quebec. Haldimand to Germain (most private). Details of transactions with the agents for the remitters. (B. 55, p. 143.) 275

1782.

March 5, Quebec. Haldimand to Germain (No. 105). Miscarriage of dispatches by shipwreck of a vessel below Bic. (B. 55, p. 141.) Page

March 13, Quebec. Memorandum by Livius to the Secretary of State respecting per imprisoned in Canada and held without trial.

List of prisoners in the military prison of Quebec.

March 15, Whitehall. Ellis to Haldimand (No. 1). Demands for supplies complied w &c. (B. 45, p. 5.)

March 18, Whitehall. Same to Sir John Johnson. Transmitting the Royal Commissio Superintendent General of Indians. (B. 116, p. 3.)

March 23, Whitehall. Same to Haldimand. Joshua Winslow appointed paymaster at Que (B. 45, p. 6.)

March —. Minute respecting the Savoyard priests for Canada.

April 7, London. Livius to Shelburne. His appointment as Chief Justice in Quel his hardships on attempting to cross and reasons for delay in retur to resume his duties. Encloses letters to explain the cause of his missal by Carleton.

The letters follow; respecting the bankruptcy of Carignan, the rela of Dobie towards the transaction, the merits of the case in co &c. 194

April 22, Whitehall. Shelburne to Haldimand (No. 1). The appointment of Sir John J son as Indian Superintendent. (B. 45, p. 17.)

April 22, Whitehall. Same to Riedesel. Is pleased at his release and that he is s fied with the attention he received on his way to Canada. Regrets t the military arrangement should have given him cause of compl but he shall do everything to make his situation agreeable. Explains cause of the grant of batt. and forage money.

April 22, Whitehall. Same to Haldimand (most secret). That a French fleet is prepar at Brest for America. (B. 45, p. 38.)

April 27, Whitehall. Same to the same (No 2). Hamilton, late Lieut.-Governor at Detroi succeed Cramahé at Quebec; Hay to succeed at Detroit. (B p. 46.)

April 28, Portsmouth. Brigadier General Maclean to Shelburne. Requesting that orde given for the sailing of the convoy, the wind being fair. The appa cause of the delay.

June 5, Whitehall. Shelburne to Haldimand (No. 3). That the four Savoyard priests to embark in the "Amazon."

June 5, Quebec. Haldimand to Hon. Welbore Elice (*sic*) (No. 1). Acknowledg receipt of the intimation that he has been appointed Secretary of St (B. 55, p. 147.)

June 19, Fort St. John's. St. Leger to———. Calling attention to his services, and ask that certain allowances should be made to him, the same as other offi receive.

July 3, Quebec. Guy Johnson to Shelburne. Congratulations on his appointm hopes that his correspondence will be honoured by the attention of Lordship. His increased labours since the invasion of the Six Na country and his retirement to Niagara have prevented him from wri so often as before; sends duplicates of letters to the previous Mini Has been called here on account of the charges against certain In traders. Hopes his case may not be prejudiced, but that His Lordsh judgment may be suspended. Believes the Indians will be satisfied w a gradual reduction in their allowances, &c.

The duplicate of No. 17 to Germain, dated 11th October, 1781, enclosed.

Also a "Review of Colonel Johnson's transactions at Niagara," d 3 July, 1782.

July 4, Quebec. Haldimand to Pollock. Acknowledging receipt of Shelburne's patches. (B. 55, p. 152.)

1782.
July 12. Report by the master of the "Enterprize," letter of marque by which Haldimand's dispatches were sent from Quebec on the 7th of June. Page 358

July 31, Whitehall. Townshend to Haldimand. The alarming reports of Canada in previous letters; the better reports by Captain Robertson. (B. 45, p. 54.) 293

July 31, Whitehall. Same to same (most secret). Expedition to the West Indies from New York. (B. 45, p. 53.) 297

July —, Sorel. Riedesel to Shelburne. Thanks for congratulations on his return. Calls attention again to Major General Clarke being given precedence although his junior in the service. 346

No date. Memorial by Mary Hay, wife of Charles Hay, respecting the case of her husband, a prisoner. 234

Copy of a previous memorial to Ellis, dated 20th February, is appended. 238

No date, Sorel. Riedesel to Shelburne. Congratulates him on his appointment as Secretary of State, &c. 348

GOVERNOR HALDIMAND, 1782.

Q. 20.

1780.
March 20, Montreal. Deposition (in French) of Joseph Trudel, of Chateauguay, in respect to James Kenney, sent to him by Caseaux, of Montreal, to be passed into the rebel Colonies. (Enclosed in letter from Brigadier Maclean of 27th of March.) Page 23

Other documents relating to Kenney, Hay and Cazeau. 25 to 35

March 20, Quebec. F. LeMaistre to Cuthbert. That orders have been sent to cut firewood on his land. (B. 225-1, p. 150.) 86

March 27, Montreal. Brigadier Allan Maclean to Mathews. Encloses the declaration of Joseph Trudell, and of the Indian who was to have been Kenny's guide. Kenny is obstinate, but the papers show that it was at Charles Hay's instigation Kenny was going to the rebels. Hay has always been in his heart an archrebel; his brother is a quartermaster among the rebels. Statement respecting Kenny's connection with Hay; his transactions with Cazeau, his ignorance of the business of stave cutting on which it was pretended he was sent; he did not reach the woods till every one else was done cutting. Thinks Kenny should be sent to Quebec, where Hay is already. 20

April 18, Quebec. Declaration by William Flood, that Charles Hay is corresponding with the rebels. (For other statements by Flood, see B. 184-2, pp. 521, 523, 525, 526, 535, 536, 541, 544.) 172

June 6, Quebec. Haldimand to Cuthbert. The King's service requires speedy communication: has, therefore, renewed the order to build a bridge of boats over the River Borthier. 104

June 6, Quebec. Same to Twiss (extract). Respecting a complaint from Cuthbert in regard to the inconvenience that will be caused by a floating bridge over the River Berthier. (B. 154, p. 268, where the whole letter is given.) 105

June 10, Quebec. Same to the same (extract). He is to build a standing bridge. (The letter in full in B. 154, p. 272.) 106

July 18, Chambly. Major Carleton to Haldimand. The plots in Montreal and how they can be disconcerted. (An extract. The whole letter is in B. 205, at page 61.) 40

July 30, Chambly. Same to same. The rebel party in Montreal waiting the arrival of DuCalvet. (B. 205, p. 64.) 42

September 7, Montreal. Boyer Pillon to Washington (in French). That three-fourths of the Province are in favour of the Americans. (B. 205, p. 70.) Acknowledged by Pillon to have been written by him. 81

1780.
September 8, Montreal. Boyer Pillon (in French) to the Congress at Philadelphia. Asks a commission for his son. (B. 205, p. 74.) This letter was also ackno ledged by Pillon. Page
September 24, St. John's. Major Carleton to Mathews. Sending intercepted letters written Pillon, &c. (B. 205, p. 81.)
September 26, Montreal. Maclean to the same. Arrest of Pillon. DuCalvet gone to Quebe steps to have him arrested. (B. 205, p. 83.)
November 14, St. John's. Examination of Joseph Dufort, fils, taken before Edward W. Gr Sheriff, Major Carleton and Captain LeMaistre, implicating Pill Pritchard, Lalaine and others, in seditious practices, with minu details.
The examination on the 15th of Pierre Charland, also implicati Pritchard.
Examination of Michel Hamel on the same subject.
No date. Copy of a French song which can be read in a double sense, w secret intelligence written in ink. (B. 205, p. 392.)
Pillon to LaFayette (in French). The general desire to be assist by him; signed Boyer. (B. 205, p. 37.) Acknowledged by Pillon.
1781.
February 21. Sworn statement of William Ferris respecting rebel sympathisers the Chambly. 1
February 21, St. John's. Deposition of John Gipson respecting correspondence between M kiff (Metcalfe) DuCalvet and the rebels. (For further correspondei respecting Metcalfe see B. 184–2, from page 547 onwards; see also 205 for DuCalvet.) 1
February 21, St. John's. Sworn statement of William Bell, respecting rebel sympathise Charland, DuCalvet and Pillon, and the manner of Charland's arrest. 1
February 21, St. John's. Sworn information by Stephen Ducolau, where and by whom the re scouts are concealed in the neighbourhood of Chambly. 1
February 24, St. John's. Sworn statement of Caleb Closson of being engaged by Hamel of John's to pilot Dufour to the rebels by way of Chambly. 1
May 1. Cuthbert to Haldimand. For leave of absence for twelve mont The leave asked for is granted by letter of 3rd May. 1
September —. Riedesel to Germain. Respecting his claim to seniority in the co mand. 4
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February 16, Quebec. Minutes of the Legislative Council from 2nd February to date. 225 to 2
April —. A. & B. to E. & F. Desiring to know if they still seek a reunion w Government. (B. 177–1, p. 339, where the names are given "Just Sherwood and George Smyth to Messrs. Allen (Ira) and Fay," and t place where written, "Loyal Block House.") 1
April 25, Whitehall. Knox to Haldimand. That Indian presents have been shipped. (50, p. 246.) 3
June 7, Upper Sandusky. John Turney, Lieutenant of Rangers, to de Peyster. Reports the s cess over the enemy on the 4th and 5th. (B. 123, p. 238, and B. 102, 68). 142-1
June 7, Sandusky. McKee to de Peyster, details of the fight at Sandusky. (B. 102, 70.) 1
June 8, Upper Sandusky. Captain Snake sends speech from the Mingoes, Shawanese a Delawares, asking for provisions. (B. 102, p. 72.) 1
June 11, Sandusky. Caldwell to de Peyster. Return of the enemy's killed and wound numbering 250. (B. 102, p. 65.) 1
June 12, Detroit. De Peyster to Powell. Defeat of the enemy at Sandusky, letters closed. (B. 102, p. 68.) 1
June 13, Sandusky. Caldwell to de Peyster. Gives Girty's account of the torturing a death of Crawford, &c. (B. 102, p. 87.) 1

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June 16, C. to Haldimand. Respecting proposed personal interview at Lake Champlain (B. 177–1, p. 354, where the writer's name "Ethan Allen" is given, as well as the other names left blank here.) Page 119

June 23, Detroit. De Peyster to Powell. Sends letter from Caldwell. A large encampment of the enemy has been seen at Tuscarawas. (B. 102, p. 86.) An addition to the letter gives details of the enemy's force under Irving. 144

July 1, Niagara. Powell to Haldimand. Is shocked at the barbarous treatment of Crawford by the Delawares. (B. 102, p. 103.) 140

July 2, Quebec. Charles Hay to Mathews, (extract.) That Shelburne had written to Mrs. Hay, that orders had been given for Hay's release. 188

July 6, Quebec. Haldimand to Shelburne. Introducing Major Carleton. (B. 55, p. 196.) 161

July 11, Quebec. G. to Haldimand. Asks for a charter uniting Vermont and the West Union, so that a force may be raised in favour of Government. (B. 177–2, p. 380, where the writer's name is given as "Jacob Lansing.") 122

July 13, Certificate and attestation (in French) by inhabitants of St. Ours, regarding the price of wood. (B. 225—1, p. 235.) 94

July 14, Berthier. Attestation (in French) of the inhabitants of Berthier, who petitioned for a bridge over the river Berthier. (B. 225—1, p. 242.) 91

July 14, Lanoraye. Certificate (in French) by four inhabitants of Lanoraye, of the quantity of wood cut on their lands and on those of Mr. Cuthbert. (B. 225—1, p. 237.) 99

July 14. Examination (in French) of notables of Berthier and St. Cuthbert, respecting the necessity for a bridge over the river Berthier. (B. 225—1, p. 239.) 101

July 15, Machiche. Further (in French) respecting the demand of the inhabitants for a bridge over the River Berthier. (B. 225—1, p. 244.) 96

July 16, Quebec. Haldimand to Shelburne (No. 1). Relative to complaints brought against him by Mrs. Hay, DuCalvet and Cuthbert. (B. 55, p. 152.) 1

July 16, Quebec. Twiss, R. E. Remarks on a charge made by James Cuthbert against Government for timber cut on his lands. (B. 228—1, p. 247.) 87

July 17, Quebec. Haldimand to Shelburne (No. 2.) Relating to the people of Vermont. (B. 55, p. 165.) 108

July 17 Quebec. Same to same. Has sent dispatches by Lieutenant Atkins, of the 34th Regiment. 129

July 17, Quebec. Same to same (private). Statement at length of the effect of granting credit to the merchants on bills drawn on the Treasury. (B. 55, p. 175.) 130

July 17, Quebec. Same to same (No. 3). Dispatches sent by the "Quebec." (B. 55, p. 170.) 136

July 17, Quebec. Same to the same (No. 4). Recommending George Davison for the first vacancy in the Council. (B. 55, p. 172.) 156

July 17, Quebec. Same to same (No. 5). Has received information of the appointment of Sir John Johnson as Superintendent. (B. 55, p. 173.) 158

July 17, Quebec. Same to same (most secret). Had received letter (most secret) that a fleet was preparing at Brest to attack Quebec. Every preparation has been made for defence. Means taken to send word to New York, &c. Signal successes in the West Indies and the late season leave little to apprehend for this year. Prisoners of war collected for exchange. Respecting his leave of absence and the impossibility of his serving under an officer so many years his junior. (This refers to the intention to send Carleton to Quebec, in which case Haldimand was to have leave of absence retaining his rank.) (B. 50, p. 164.) 163

July 17, Quebec. Same to same (private). Hope shall be appointed Quarter Master General on the removal of Lieut.-Col. Carleton to the southward. (B. 55, p. 179.) 168

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August 2, Quebec. H. to Haldimand. Propositions from Vermont for reunion, the term to be kept secret. (B. 177-2, p. 415, where the writer's name is given a James Breakenridge.) Page 19

August 8, Quebec. Haldimand to Chittenden. Releases Adial Sherwood and Lieu Holden (prisoners of war) on his request, and on the ground of th liberality of the people of Vermont. Will avoid hostilities toward that State, so long as there is no general event to make the contrar necessary. (B. 177-2, p. 424.) 19

August 9, Quebec. Same to same. Hopes for a favourable result of negotiations for th return of Vermont. (B. 177–2, p. 426.) 19

August 13, Sorel. Riedesel to Townshend. Cleve reports his arrival at Halifax wit recruits, &c., and his orders to proceed to Penobscot. As no clothing c stores have been received by the German troops for the last three yea they will be in great distress if the clothing that has arrived be not fo warded. 41

August 15, Quebec. Haldimand to Shelburne (No. 6.) Transmits additional papers r specting the complaints of Hay, DuCalvet and Cuthbert. (B. 5 p. 197.) 16

(Enclosures: Flood's declaration, 18th April 1780; Ferris, Gipson, Bel Ducolau, all of 21st February, 1781. Closson 24th February, 178 Letter (extract) from Hay, 2nd July, 1782. (Calendared at respectiv dates.)

August 15, Quebec. Haldimand to Shelburne (No. 7). Had dispatched a messenger t New York relative to the affairs of New York. (B. 55, p. 199.) 18

August 17, Quebec. Same to same (No. 8). Sending duplicates. Reports that Congre will listen to nothing but independence. (B. 55, p. 201.) 19

August 17, Quebec. Same to same (No. 9). Transmitting the application for the salar of the Commissioners for executing the office of Chief Justice. (B. 5 p. 204.) 20

The memorial and letter, both dated 14th August, enclosed. 207–21

August 17, Quebec. Haldimand to Shelburne (most secret.) Stating the arrangements h has made for governing the Province, should he be obliged to leav before Carleton's arrival; the inexperience of Major General Clarke ha induced him to send for Brigadier General Powell to take his place. Th German troops will be attended to by Riedesel, the civil department b Hamilton, and every other branch arranged for. 21

August 17, Quebec. Same to same. Introducing Captain Cullen, who has received leav of absence. (B. 55, p. 206.) 21

August 24, Quebec. Return of provisions, &c., remaining in Canada at this date, signed b Nath. Day. 32

August 28, Shawanese Country. McKee to de Peyster. The large assemblage of Indians dispersed o the news that the report of the enemy's movements was false. (B. 12 p. 302.) 28

September 4, Detroit. De Peyster to Haldimand. Sending McKee's letter, with account of th defeat of the enemy by Caldwell at the Blue Licks. (B. 123, p.310.) 29

September 6, Isle aux Noix. Riedesel to Shelburne. Owing to the practice of sending clothing &c., for the recruits to the German troops along with clothing to th Southern Army, the necessary articles for last year have not yet bee received in Canada. The great inconvenience thus caused; the store &c., could be sent by the Quebec trade fleet. 37

September 21, Block House. McKee to Caldwell. Report of a force being collected at Wheelin for an attack on the Huron villages. (B. 123, p. 316.) 28

September 24, Sandusky. Caldwell to de Peyster. Two Delawares from Fort Pitt report tha 1,200 had gathered there to march on Sandusky. (B. 123, p. 317). 28

September 25, New York. Carleton to Haldimand. Reports the preparations by Congress an the Assembly of Pennsylvania to attack the Indian country. (B. 14 p. 102). 38

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September 29, Detroit. De Peyster to Haldimand. Has given Hope and Sir J. Johnson every information they desired. (B. 123, p. 320.) Page 295

October 3, Quebec. Monk to Haldimand. That the ordinances respecting forestallers, &c., cease by the proclamation of the Orders in Council. Sends new proclamation. (B. 203, p. 80.) 221

Proclamation 223

October 6, Niagara. Dundas to Haldimand. Hope and Sir John Johnson sailed this morning. (B. 102, p. 184.) 301

October 8, Montreal. Jehu Hay to Shelburne. Had expected before this time to have been at his post, so as to give an account of the post and settlement of Detroit; has been ready for three months, but prevented by Haldimand from going; he had been allowed house rent while detained. States his services and the hardships he suffers in the delay of getting to his post. (There is a letter to Haldimand on this subject of the same date, B. 123, p. 324.) 399

October 10, Quebec. Minutes of Council concerning state business, from 20th October, 1781, to 1st May, 1782, and from 1st May to 10th October. 263 to 268

October 13, Quebec. Return of provisions forwarded to Carleton Island for the upper posts between the 1st May and date. 330

October 16, Quebec. Riedesel to Shelburne (in French). The change in the department prevents him from asking his protection further, but calls attention to the claims to promotion of Captain Willoc and Lieutenant Freeman. 402

October 16, Quebec. Same to Townshend. The inconvenience of German recruits not being sent to their own regiments. The question of seniority between him and Clarke. Carleton has sent to Canada all the Brunswick officers exchanged by Clinton, but there are still above 1,000 privates prisoners; asks that efforts be made for their exchange. 404

October 20, Quebec. Haldimand to the same (No. 1). Acknowledging receipt of the notice of his appointment. (B. 55, p. 225.) 217

October 20, Quebec. Holland to the same. Forwards musters of the foreign troops in Canada. The muster rolls are appended. 411

October 21, Quebec. Haldimand to the same (No. 2). Transmits the ordinances passed by the last Council, with remarks. (B. 55, p. 225.) 218

(Monk's opinion and proclamation enclosed, dated 3rd October. See that date.)

October 21, Quebec. Winter quarters for the army in Canada, specifying the different posts and the troops stationed at each. 327

A separate return of the same date for the upper posts. 329

October 22, Quebec. Haldimand to Townshend (No. 3). Transmitting duplicates of the papers relative to the complaints of Hay, Du Calvet and Cuthbert. (B. 55, p. 228.) 270

October 22, Quebec. Same to same (No. 4). His exertions to diminish the expenses of the upper posts and Indians. (B. 55, p. 229.) 272

October 23. Quebec. Same to same (No. 5). Transmits copies of letters from Detroit to show how impossible it is to restrain entirely the Indians from going to war. (B. 55, p. 233.) 279

(Letters enclosed from McKee, Caldwell, De Peyster and Dundas, dated in August and September, calendared at their dates.)

October 24, Quebec. Haldimand to Townshend (No. 6). That he has sent all the transports and victuallers to New York as ordered. (B. 56, p. 3.) 303

October 25, Quebec. Same to same (No. 7). Sir John Johnson appointed Brigadier-General. (B. 56, p. 4.) 305

October 25, Quebec. Same to same (private). Evacuation of posts on the Atlantic; loyalists seeking an asylum, recommends settling them on Cape Breton and near Detroit. (B. 56, p. 21.) 310

October 25, Quebec. Same to same (No. 8). Negotiations with Vermont; despondency at rebel successes. (B. 56, p. 6.) 317

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October 24, Quebec. Haldimand to Townshend (No. 9). Preparations for closing the garr son hospital at Quebec. (B. 56, p. 7.) Page 31
October 25, Quebec. Same to same (No. 10). Works rendered necessary by the evacua tion of the posts on the Atlantic. (B. 56, p. 8.) 32
October 25, Quebec. Same to same (No. 11). Leave of absence to John Drummond, of th Legislative Council, (B. 56, p. 12.) 33
October 25, Quebec. Same to same (No. 12). The capture and return to Europe Savoyard priests. (B. 56, p. 13.) 33
October 25, Quebec. Same to same (No. 13). Has settled claim of Captain Schalk. (56, p. 14.) 33
Statement of claim. 33
October 26, Quebec. Haldimand to Townshend (No. 14). Enclosing copy of a letter to Lor Keppell, and asking him to support its request. (B. 56, p. 15. The lette to Keppell, enclosed, urging the promotion of Captains Chambers an Schark is in B. 55, p. 208.) 337-33
October 26, Quebec. Same to same (No. 15). The successes of Rodney in the West Indie have frustrated the designs of the enemy on Canada by sea. (B. 56, 16). 34
October 26, Quebec. Same to same (private). That in consequence of present circum stances, he has decided to remain in Canada for the winter. 34
October 28, Quebec. Same to same (No. 16). Arrival of German troops of convention (B. 56, p. 18.) 34
October 28, Quebec. Same to same (No. 17). Estimates for Indian presents. (B. 56, 19). 35
Estimate for the articles wanted. 35
October 28, Quebec. Sir John Johnson to Haldimand. That he had carefully gone over th Indian estimates which are brought into one general estimate. Th accounts for the goods received have been laid before the examiner Their report is enclosed showing that there had been an enormous over charge. 35
October 28, Quebec. Haldimand to Townshend (No. 18). Requisition sent for store (B. 55, p. 20.) 36
The demands (dated 30th September) follow. 361-36
October 28, Quebec. Haldimand to Knox. Relating to Indian presents and the examinatio of those sent. (B. 55, p. 25.) 37
November 7, Quebec. Same to the Treasury (No. 17). The steps taken to check th enormous expenses at the upper posts. (B. 56, p. 39). 38
November 8, Quebec. Same to Townshend (No. 19). The expected reinforcement fro New York. (B. 56, p. 30). 38
November 9. Same to same (No. 20). The reasons for recalling Sinclair. (B. 5 p. 32.) 38
November 11, Quebec. Same to same. Sending transports with prisoners of war. (B. 5 p. 34.) 39
November 26, Plymouth. Captain Worth to the same. Forwarding dispatches brought b his ship the "Assistance." 34
List of the boxes of dispatches. 34

Correspondence with Gen. Haldimand—1783.

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March 21, London. Sir John Johnson to Haldimand. May probably have to wait for th sailing of the fleet at the beginning of next month. (B. 115, p. 1.) 33
June 30, Quebec. Du Calvet to Shelburne and Fox. (The letter is in French and date "à l' Inquisition du tyran Haldimand aux Recollets"). Complains of h treatment; declares that he is ruined in health and fortune, and deni

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that he has ever been a traitor, &c. It covers 14 closely written pages of foolscap. Page 34

June 30, Quebec. Du Calvet to Burke, dated as before, and enclosing the letter to Shelburne and Fox. 49

(Another letter to Burke of 1st September, calendared at its proper date, see also August and October.)

July 31, Quebec. R. R. Bradley, memorial stating the circumstances connected with the shooting of a sailor at sea, and asking that he and the sailor who fired the shot may be tried. 6

(The letter sending the memorial to the Attorney General for his opinion is in B. 203, p. 78.)

July 31, Quebec. Monk, Attorney General, his opinion as to the legal course to be taken in the trial of Captain Bradley, his mate and boatswain, for the shooting of a sailor at sea. 8

The depositions in the case. 12 to 25

September 1, Quebec. Du Calvet to Burke, (in French.) Sends copies of letters written in June, July and August last, and asks for his intervention. 51

September 1, Quebec. The same to Shelburne and Fox (in French.) Sending copies of previous letters. 59

Letter of 19th August, follows. 59

October 1, Quebec. Du Calvet to the Ministers and Secretaries of State (in French). Prays for an examination into his case, and that his representations may be considered. Has no idea of the cause of his imprisonment, &c. 55

October 23, Niagara. Dundas to Haldimand. DePeyster reports that all the scouts had returned from Tuscarawas without seeing the enemy. (B. 102, p. 208.) 30

October 26, New York. Carleton to the same. The expedition under Potter laid aside. (B. 146, p. 47.) (Enclosed in Haldimand to Townshend (No. 27) of 14th February 1783.) 186

November 10, Quebec. Haldimand to Townshend (private). Carleton writes it is impossible he can come to Canada this year and wholly unlikely that he ever will. Has sacrificed his feelings to a sense of duty, but it could not be expected after 43 years honourable service that he would voluntarily serve under a junior. His painful position, only acting as commander until a junior officer shall find it convenient to supersede him. Begs that measures may be adopted during the winter to enable him to take advantage in Spring of his leave of absence. 1

November 11, Quebec. The same to the same (No. 22). Relative to the trial of Lieutenant Bradley for the accidental killing of a sailor by the firing of a signal. 4

(Memorial dated 31st July enclosed. Calendared at proper date.)

November 13, Quebec. Haldimand to Townhend (No. 23). Relative to the salaries of the commissioners for executing the office of Chief Justice. (B. 56, p. 36.) 26

November 14, Quebec. The same to the same (No. 24). The rebels have given up the idea of attacking the Indian country this fall. (B. 56, p. 37.) 28

(Enclosure from Dundas, dated October 23, calendared at its proper date.)

December 5, Resolution of Congress to compel the people of the New Hampshire grants (Vermont) who have expelled certain inhabitants, professing themselves subjects of New York, to make restitution to them. The names given to whom restitution is to be made are Timothy Church, Timothy Phelps, Henry Evans and William Shuttuck, besides others who may have been condemned to banishment and confiscation. That measures shall be taken to enforce this regulation and that no independent authority shall be allowed in the district mentioned. A copy to be transmitted to "Thomas Chittenden, Esq., of Bennington, in the district aforesaid, to be communicated to the people thereof." 213

December 16, Niagara. Maclean to Haldimand. Transmits speech of the Six Nation Indians, with his answer. (B. 102, p. 252.) 189

The report of the proceedings at the Indian Council of the 11 December. Page 1

1783. Maclean's answer on the 12th. 1

January 22, London. Edmund Burke to Townshend. Enclosing a letter from Maseres r commending the case of Du Calvet.

(Letter from Du Calvet dated 20th June, 1782, calendared at t proper date.)

January —. Document entitled "Extract of a letter from C (in a key forwarded the Secretary of State)." Forwards hand bill (probably refers to resol tion of Congress of 5th December). People of Vermont afraid invasion by Congress. (In B. 178, p. 50, the letter is endorsed fro General A.) 2

February 6, Bromsgrove. Earl of Plymouth to Townshend. Supporting the request of Rev. M Guerry for leave of absence and enclosing his application. 6

Undated memorial from Rev. Lewis Guerry, appointed minister the Church of England in the Province of Quebec, praying for a co tinuance of his leave of absence, as there was nothing for him to d during the American War. 6

Enclosed in Earl Plymouth's letter—Guerry to Townshend. Su stantially the same statement as that in the memorial. The letter end "The Governor of Quebec entirely approves of my continuing in En land. My reasons for wishing to obtain this leave of absence thus lo before hand should, I trust, appear satisfactory." 6

February 6, Quebec. Haldimand to Sir John Johnson. Instructions as to the course to b taken to attach the Indians, &c. (B. 116, p. 8.) 1

The formal instructions of same date. (B. 116, p. 1.) 1

Standing orders to be observed at the several posts in the upp country. 1

February 14, Quebec. Haldimand to Townshend (No. 25). Has revived the office of Solicit General, to protect the rights of the King's domain. (B. 56, p. 46.) 1

February 14, Quebec. The same to the same (No. 26). The suspension of George Allso from the Legislative Council. (B. 56, p. 47.) 1

Enclosed is an extract from letter to Germain of the 25th Octobe 1780 (No. 68), already calendared, respecting Allsopp. 1

Also extract from Germain (No. 32), dated 12th April, 1781. 1

Other documents respecting Allsopp. 110 to 1

February 14, Quebec. Haldimand to Townshend (No. 27). Respecting his leave of absenc (B. 56, p. 50.) 1

February 14, Quebec. The same to the same (No. 28). The negotiations with Vermon (B. 56, p. 53.) 2

Extracts of various dates, received from different correspondents the Colonies. 2

February 28, Whitehall. Townshend to Haldimand. Acknowledges dispatches. The relea of Hay, Cazeau, Du Calvet and Pillon, guilty of treasonable conduc recommended but not ordered. (B. 45, p. 66.)

April 1, Niagara. Conclusion of a speech delivered in a Council held at Niagara wi the Six Nations, addressed to Sir John Johnson, and transmitted b Brigadier General Maclean. (The whole proceedings, speeches, &c., one of which this is a part, are in B. 119, p. 175.) 2

April 10, Whitehall. Lord North to Haldimand. Asking him to continue in his office Quebec. (B. 45, p. 76.)

April 15, Quebec. Haldimand to Townshend (No. 29). The expedition by Willet again Oswego abandoned. (B. 56, p. 55.) 2

April 16, Whitehall. North to Haldimand. Transports for the conveyance to Europe foreign troops. (B. 45, p. 95.)

April 16, Whitehall. The same to Riedesel. Instructions sent to have all the foreign troo returned to Europe.

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April 18, Whitehall. North to de Lossberg. Substantially the same as to Riedesel, with the necessary alterations. Page 96
April 19, Whitehall. The same to Haldimand. That orders had been sent to return the foreign troops to Europe. Pownall's son to have leave of absence, if his attendance can be dispensed with. 98
May 1, Resolution of Congress to communicate to the Indians that preliminaries of peace have been settled, &c. (B. 103, p. 115.) 366
May 3, Philadelphia. General Lincoln to de Peyster. Introduces Douglas, sent to treat with the Indians. (B. 103, p. 129.) 355
May 3, U. S. War Office. The same to Douglas, informing him of the terms of his message to the Indians. (B. 103, p. 124). 361
May 7, Quebec. Haldimand to Townshend (No. 30). Has received the preliminaries of peace. (B. 56, p. 58.) 220
May 18, Niagara. Maclean to Haldimand. Reports the state of feeling of the Indians as to the boundaries. (B. 103, p. 175.) 244
May 21, Quebec. Literal translation of a speech by Joseph Brant to Haldimand, respecting the terms of the preliminary articles of peace, so far as it regards the Indians. 236
June 2, Quebec. Haldimand to North (No. 1). The effect of the preliminaries of peace on the minds of the Indians. (B. 56, p. 65.) 229
June 12, Quebec. The same to the same (No. 3). Recommends George Davison and Winslow for vacancies in the Council. (B. 56, p. 74.) 260
June 13, Sorel. Riedesel to the same. Has received orders to embark his troops for Europe. His gratitude for the King's approbation of his services. Had been preparing and hopes to be ready to leave when the transports arrive. Repeats his recommendation of Captain Willoc and Lieutenant Freeman. 225
June 14, Quebec. Haldimand to the same (No. 2). Is withdrawing foreign troops from the interior for embarkation. (B. 56, p. 70.) 254
June 19, Quebec. The same to the same (No. 4). Desires priests to be sent from Savoy. (B. 56, p. 75.) 264
Extract of letters to Germain dated 14th September, 1779, and 25th October, 1780, also one to Townshend of 25th October, 1782, respecting priests, already calendared in full. 268–269–273
June 19, Montreal. Sir John Johnson to Haldimand. Can scarcely express his astonishment at the insinuations made against him by Knox. (B. 115, p. 132.) 333
June 20, Quebec. Haldimand to North (private). The leave of absence to Mr. Pownall. (B. 56, p. 77.) 275
June 25, Quebec. The same to the same (No. 5). Recommending Captain Chambers to be promoted to the rank of post captain. (B. 56, p. 79.) 288
June 25, Quebec. The same to Keppell. Recommending the promotion of Captain Chambers. (B. 56, p. 81.) 290
June 27, Quebec. The same to North (No. 6). Has sent the two French priests by the "Bull Dog." (B. 56, p. 80.) 292
July 7, Detroit. De Peyster to Maclean, reporting his conference with Douglas and McCully, sent by the United States Congress to treat with the Indians. (B. 103, p. 243.) 347
July 7, The same to the same. Is happy that Douglas and McCully have embarked. (B. 103, p. 246.) 350
July 12, Hudson River. Washington to Haldimand. The Congress of the United States has instructed him to arrange with the commander-in-chief of the British forces for the possession of the posts. (B. 175, p. 211.) 402
July 15, Quebec. Haldimand to North (No. 7). Further respecting ecclesiastical affairs. (B. 56, p. 95.) 298

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July 16, Niagara. Ephraim Douglas to Maclean. Asks him to state in writing reasons for not allowing him (Douglas) to assemble the Indian chi (B. 103, p. 271.) Page

July 16, Niagara. Maclean to Douglas. Gives reasons for not permitting the assemb of the Indian chiefs. (B. 103, p. 268.)

July 17, Quebec. Haldimand to Shelburne (No. 4). Duplicate of letter alre calendared respecting Vermont.

July 17, Niagara. Maclean to Haldimand. Enclosing letters from de Peyster, resp ing commissioners from Congress. (B. 103, p. 265.)

July 17, Detroit. De Peyster to Maclean. Hopes that the missionaries from Gen Lincoln have been sent round by Oswego, or Lake Champlain. (B. p. 273.)

July 21, Quebec. Haldimand to North (No. 8). Loyalist families intending to se near Cataraqui, which has been surveyed by Major Holland. (B. p. 99.)

July 26, Quebec. Riedesel to the same. Introduces Captain Cleve.

July 28, Quebec. Haldimand to the same. Mr. Pownall carries dispatches. (B. p. 107.)

July 29, Quebec. The same to Riedesel. The command of the German troops will to him (Riedesel). (B. 153, p. 132.)

July 30, Quebec. The same to the Lords of Trade. Has authorised a lottery for fu to build a prison at Montreal. (B. 56, p. 108.)

July 30, Detroit. Report of a Council held with Shawanese, de Peyster presid (B. 103, p. 288.)

July 31, Quebec. Haldimand to North (No. 9). Transmits proceedings of the Le lative Council. (B. 56, p. 110.)

July 31, Niagara. Maclean to Willet. Sending copy of de Peyster's letter respec the attack by the Virginians of Kentucky on the Indians. (B. p. 297.)

July 31, Niagara. The same to Haldimand. Extract with de Peyster's letter respec the attack by Virginians on the Indians. (Maclean's letter is give full in B. 103, p. 293.)

July —. Proceedings of Sir John Johnson with the Six Nations at Niag (p. 433), and with the Senecas and Tuscarora chiefs and warr from Chenussio (p. 448), in the month of July. The cove letter is in B. 115, p. 138.) 433 to

August 1, Detroit. De Peyster to Maclean. Extract relating to attacks by Virginian the Indians. (The letter is in full in B. 103, p. 304.)

August 1, Niagara. Maclean to Haldimand. Has stopped three bateaux from Schenect loaded with rum. (B. 103, p. 299.)

August 1, Niagara. Letter signed by the traders addressed to Maclean, remonstra against traders from the United States being allowed to come with g to the upper posts. (B. 103, p. 307.)

August 2, Quebec. Haldimand to North. Embarkation of troops. (B. 56, p. 111.)

August 2, Quebec. General Order. Thanks to German troops. (B. 84, p. 2.)

August 3, Chambly. Steuben to Haldimand. That he is on his way to Quebec to rec the posts, that are within the limits of the U. S. (B. 175, p. 217.)

August 4, Quebec. Allsopp to North. Calls attention to his suspension from all his off which he alleges, is due to his having called for the King's inst tions which had been withheld, &c., defends his conduct and asks justice.

Letter to Germain, dated 29th October, 1780, enclosed.

August 5, Quebec. Haldimand to North (No. 11). Has sent samples, price, &c Indian goods as a check on those furnished. (B. 56, p. 114.)

1783.
August 5, Quebec. Haldimand to the Treasury. Sending samples and report of examination of Indian presents. (B. 56, p. 134.) Page 328

August 6, Quebec. The same to North (No. 12). Some of the foreign soldiers remaining in the Province. (B. 56, p. 121.) 336

August 6, Quebec. The same to the same (No. 13.) Copies of correspondence sent relative to message to Indians from Congress. (B. 56, p. 122.) 340

August 6, Quebec. The same to the same, by Lieut. Houghton, with dispatches and samples of Indian presents. (B. 56, p. 124.) 338

August 6, Quebec. The same to Steuben. That he is on his way to the upper part of the Province. Colonel Hope will conduct him (Steuben) to Sorel, to save him the trouble of coming to Quebec. (B. 175, p. 219.) 370

August 8, Whitehall. North to Haldimand. Arrangement of peace establishment. (B. 45, p. 115.) 279

August 11, Sorel. Steuben to the same. The answer to the requisitions in the name of the United States being so decisive, it is needless to renew the subject. (B. 175, p. 220.) 396

August 11, Sorel. Haldimand to Washington. Has received requisition through de Steuben for the delivery of the posts, &c. (B. 175, p. 222.) 405

August 12, St. John's. The same to Steuben. Giving him in writing substantially the same answer as that given verbally. (B. 175, p. 225.) 399

August 20. Application for Indian trade passes from the beginning of the season to this date. 408A., 408B.

August 20, Quebec. Haldimand to North (No. 14.) Has returned from Isle aux Noix. (B. 56, p. 125.) 388

September 7, Portsmouth. Riedesel to the same. Had arrived in the morning, having parted company with the fleet during the night of the 18th and 19th of last month. Sends returns of German troops embarked at Quebec; does not think the fleet can assemble at the Downs for eight or ten days. Shall wait for orders and then proceed to Deal to wait the arrival of the transports. Lieutenant Freeman, the bearer of the letter, can give further information. 293.

Embarkation return of the German troops going to Europe, in 25 transports. The return is dated at Quebec, 2nd August. 296

No date. Du Calvet to Haldimand (in French). The title is "Epitre au général Haldimand." The "epitre" is published in the "Appel à la Justice" (1784), at page 43. 77

Du Calvet. Epitre dedicatoire a Milord Sydney (in French). Published in the "Appel à la Justice," p. 39. 84

Return of camp equipage issued from the Quarter-Master General's stores in Canada to the troops of Hesse Hanau in the years 1777-79-80 and 82. 323

GOVERNOR HALDIMAND.
PAPERS RELATING TO COLONEL GUY JOHNSON, 1783.

Q. 22.

1783.
June 21, Montreal. Address (in French) from citizens of Montreal respecting two French priests. 40

June 24, Quebec. Haldimand to Mezière and Adhemar, in reply to address respecting French priests. 48

June 30, Montreal. Mezière and Adhemar to Haldimand (in French). Thanks for his answer respecting obtaining the assistance necessary for the support of their religion. 50

July 7, Falls of the Ohio. Major Wall's speech to the Shawanese at exchanging prisoners. (B. 119, p. 188.) 13

1783.

July 11, Montreal. Adhemar to the Captains of Militia (circular in French). That been decided to send one or two representatives with a petition t King, on the subject of obtaining priests from Europe, and asking money be collected in the parishes to pay the expenses. Pa

August 18, Montreal. Same and Delisle to Haldimand (in French). That they have elected to carry their petition to the King, and praying for his re mendation.

August 26 to September 8. Journal and minutes of transactions with Indians at Sandusky. 119, p. 220.)

August 27, Quebec. Haldimand to North (No. 15). Sends translations of Indian spee (B. 56, p. 132.)

August 28, Quebec. Same to Adhemar (in French). Acknowledges receipt of let 18th, but can express no opinion as to the legality of the meeting the appointment to proceed to London with petition.

September 4, Montreal. Adhemar and Delisle to Haldimand (in French). Apologisin not sending sooner copies of the petition and memorial referred their preceding letter, which will show the necessity they are und obtaining priests from Europe.

Petition and memorial. 6

September 8, Quebec. Haldimand to Mabane (in French). Appointing him, in concert Fraser and Williams, to investigate and report on the proceedin elect deputies to go to London with a petition to the King to priests brought from Europe.

September 14, Montreal. Mabane and Williams to Haldimand. Report that the steps take Adhemar in calling meetings and addressing a circular to the Captai Militia were irregular, but it was thought best to take no notice o irregularity.

The answer from Mr. Gray, the Sheriff, dated 4th September, encl That no authority had been given for holding the meetings calle Adhemar, as he was not called on by the magistrates to con them.

September 22 to October. Papers relating to the accounts of Taylor and Forsyth and Co Guy Johnson. (For these papers, see B. 110, various dates.) The letter in this volume [Q. 22] is dated 24th October, enclosing reports, details of examination, &c. (B. 110, pp. 297 to 344.) Lette earlier date are included as part of the evidence. 94 t

September - . A. McKee to Sir John Johnson. The meeting with the Natio Sandusky, has been of singular service. (B. 119, p. 237.

October 6, Quebec. Haldimand to Adhemar and Delisle (in French). That their ass tion of the position of representatives of the Canadians to carry peti to the King is neither legal nor proper. The benevolence of the and Parliament ought to show the Canadians that neither has any end in view than their happiness.

October 14, Quebec. Same to North (No. 16.) Reported arrival of the "Bull Dog." (B p. 135.) Postscript respecting loyalists, dated the 20th, p. 142.

October 22, Quebec. Same to Townshend. Introducing and recommending Twiss. (B p. 145.)

October 23, Quebec. Same to the same (private). Suggestions for building a citad Montreal. (B. 56, p. 147.)

October 24, Quebec. Same to the same, (private.) The representations of the peop Vermont that they desire to be annexed to Canada. (B. 56, p. 149

November 2, Quebec. Same to the same, (No. 17). Transmits papers and reports con ing a suit against Taylor and Forsyth. (B. 56, p. 173.)

GOVERNOR HALDIMAND—1784.

Q. 23.

1783.
July 30, Niagara. Officers of the Six Nation Department, praying for a provision in view of the expected reduction. (B. 216, p. 57.) Page 37

October 23, Quebec. Mabane, Dunn and Williams. For salary as commissioners for executing the office of Chief Justice. (Enclosed in Haldimand's letter to North of 8th November, p. 23.) 25

October 29, Quebec. G. French to Haldimand. Journal exploring the Ottawa from Carillon to the Rideau, and from the mouth of the Rideau to its source; thence down the Gananoque to the St. Lawrence near Cataraqui, from 29th September to 14th October. (B. 169, p. 31.) 10

November 4, Quebec. Haldimand to North (No. 18). Introduces Mr. Cuyler, late Mayor of Albany, a loyalist. (B. 56, p. 165.) 1

November 4, Quebec. Same to same (No. 19). Introduces and recommends Brigadier General Maclean. (B. 56, p. 166.) 2

November 5, Quebec. Same to the same (No. 20). There is only one patent office granted, not requiring residence in the Province, that of Receiver General. (B. 56, p. 167. 4

November 6, Quebec. Same to the same (No. 21). The proposed settlement of loyalists. (B. 56. p. 168). 5

November 8, Quebec. Same to same, (No. 22). Urging the claims for salary of the Commissioners for executing the office of Chief Justice. (B. 57-2, p. 589.) 23

November 9, Quebec. Same to the same. Sends dispatches by Captain Le Maistre. (B. 57-2, p. 590.) 26

November 12, Quebec. Same to the same (No. 23). The appointment of Colonel Hope as Q.M.G., in consequence of Colonel Carleton's leaving. (B. 57-2, p. 590.) 27

November 12, Quebec. Same to the same. Mr. Fisher to succeed Dr. Mabane as surgeon of Quebec Hospital. (B. 57-2, p. 594.) 29

November 17, Quebec. Same to the same (No. 24). With dispatches. Plan of township for loyalists near Cataraqui. (B. 57-2, p. 593.) 30

The plan. 36*a*

List of the Provincial troops in Canada. 36*b*

November 18, Quebec. Haldimand to North (No. 25). Dispatches received; cannot disband this season the troops named. (B. 57-2, p. 594.) 32

November 18, Quebec. Same to the same (No. 26). The continued absence of Mr. Cuthbert. (B. 57-2, p. 599.) 41

November 19, Quebec. Same to the same (No. 27). Asks that a salary shall be named for Sir John Johnson, as Superintendent, &c., of Indian Affairs. (B. 57-2, p. 600.) 42

November 20, Quebec. Same to the same (No. 28). Disappointment at not hearing from the Lords of the Treasury. (B. 57-2, p. 600.) 43

November 21, Quebec. Same to the same (No. 29). The arrangement for reducing the establishment to a peace footing. (B. 57-2, p. 601.) 44

November 25, Quebec. General order by Haldimand, promulgating orders for reduction of the forces. (B. 84, p. 32.) 52

November 27, Quebec. Haldimand to North (No. 30). The views of the Indians as to the cession of their lands to the United States. (B. 57-2, p. 602.) 46

December 4, Montreal. Sir John Johnson to Haldimand. Sends list of officers of the Indian Department, deserving of attention. (B. 115, pp. 194, 195.) 100

(The list is enclosure No. 3, following p. 99. See next page).

December —, Quebec. Lists of the different departments in preparation for the reduction. General list of the reductions (No. 1) shows a saving of £105 18s. 5d. per day. 99

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Details of Departments.

1. Abstract of Reductions.
2. Quartermaster General.
3. Indian, Niagara.
4. Barrack Master General.
— Commissary, upper posts. (Not numbered.)
5. do in the lower parts of Canada.
6. Engineers, Quebec.
7. Naval.
8. Indians, before the rebellion.
9. do for the Seven Nations of Canada.
10. do at Detroit.
11. do for the Six Nations at Niagara.

Nos. 9, 10, 11 show the staff during the rebellion. (The lists fo

1784.
January 8, Quebec. Haldimand to North (No. 31). Sir John Johnson's services. (B p. 203. One enclosure is calendared at its date, 4th December; the ot are the lists given above.) Pag

January —, Schenectady. Schuyler's speech to the deputation of the Six Nation Indians. 119, p. 249.)

February 22, Philadelphia. Luzerne to Haldimand (in French). That he desires to con Canada to visit the Falls of Niagara, &c. (B. 175, p. 247.)

March 4, Quebec. Haldimand to North. Transmits ordinances from which his a was withheld. (B. 56, p. 236.)

The ordinances follow, including one on police of 1727. ,111 to

March 17, Niagara. Butler to Sir John Johnson. Encloses copy of Schuyler's speec the definitive treaty and of the proceedings at a meeting of Ind (B. 119, p. 263).

March 18, London. Duke of Richmond to Sydney. Twiss reports that a quantity of ber is at Quebec, more than is necessary for the works there. Ge Green reports the quantity that could be used, and His Grace re mends that freight might be engaged for the quantity mentioned i return enclosed.

Returns referred to for the Tower, for Woolwich and for Gi tar. 7

March 23, Quebec. The Governor's speech at the opening of the Legislative Council. Followed by address and answer.

April 8, Whitehall. Sydney to Haldimand. Approves of his conduct with respe French priests attempted to be introduced into the Seminary. (B p. 129.)

April 10, Whitehall. Same to the same. The King grants him leave to come to Engl (B. 45, p. 138.)

April 12, Quebec. Haldimand to Luzerne (in French). That owing to the state of ing among the Indians, cannot advise him to take his proposed jou through Canada. (B. 175, p. 258.)

April 14, Whitehall. Sydney to Haldimand. Surplus timber at Quebec may be sent to raltar. (B. 45, p. 140.)

April 15, Arlington. Chittenden to Haldimand. Asking that he be notified when L Blockhouse is evacuated. (B. 175, p. 268.)

April 23, London. Pierre Du Calvet to Sydney (in French). This letter is publishe the "Appel à la Justice," in which it occupies 10 printed pages, begin at page 29.

April 26, Quebec. Haldimand to North (No. 32). Is anxious to receive instructio to the evacuation of the upper posts. (B. 56, p. 208.)

April 29, Quebec. Address of the Legislative Council to His Excellency at the clo the Session, with the answer

1784.

April 29, Quebec. Minutes of Council on State business, from 31st May, 1783, to date. Page 181 to 320

May 6, Quebec. Haldimand to the Lords of Trade. Minutes of Council sent. The expediency of not assembling the Legislative Council to repeal the ordinance for preventing the exportation of wheat, &c., justified. (B. 56, p. 220.) 321

May 12, Quebec. Same to North (No. 33). Arrival of Colonel Fish, to treat for the evacuation of the posts. (B. 56, p. 214.) 161

Letter from George Clinton, Governor of New York, introducing Colonel Fish, dated 19th March. 166

Answer by Haldimand, dated 10th May. That he had had no instructions respecting the posts. 168

May 22, Niagara. Meeting held at Niagara with the Mississauga Indians, accompanied by the chiefs and warriors of the Six Nations, Delawares, &c. Agreement by the Mississaugas to sell such land as belonged to them between Lakes Ontario, Huron and Erie, which they were asked to dispose of. They say: "We, the Missisaugas, are not the owners of all the land lying between the three lakes, but we have agreed and are willing to transfer our right of soil and property to the King our Father, for the use of his people and our brethren of the Six Nations, from the head of the Lake Ontario, or the Creek Waghguata to the River La Tranche, then down the river until a south course will strike the mouth of Cat Fish Creek on Lake Erie." With this Butler declared himself satisfied. 349

May 29, London. Count Adhemar to Howe. Asks for information respecting François E. Guigbord, a recruit who went from Paris to Canada in 1759. (See Sydney to Haldimand, 4th June, B. 45, p. 159.) 89

May 31, London. Appointment of Abraham Cuyler to be agent to solicit lands on Cape Breton for a settlement. The lists of the heads of the parties of loyalists is given, the families being 630, computed to number 3,150 souls. (The list in B. 168, p. 113.) 91

Two lists of articles wanted to establish the families on the island. 93–94

June 4, Whitehall. Sydney to Haldimand. With letter from Count Adhemar, respecting François Guigbord. (B. 45, p. 159.) 101

June 6, Loyal Village. Proceedings of council, held at Loyal Village, of the chiefs and warriors of the Six Nation Indians, in consequence of a message received from Governor Clinton. 343

The message, dated 12th April. 339

(See also B. 175, p. 260 to 267.)

June 7, Whitehall. Sydney to Haldimand. With petition from Cuyler and other loyalists to obtain grants of land in Cape Breton. (B. 45, p. 167.) 102

June 8, Whitehall. Same to the same. Leave of absence to Sir John Johnson. (B. 45, p. 172.) 104

June 14, Whitehall. Same to the same. Sends petition from Robin, Pipon & Co., respecting the losses they have sustained in their fisheries. 106

June 29, Quebec. Haldimand to Sydney. Minutes of Council transmitted. Is gratified at the approval of his conduct relative to the French priests. (B. 56, p. 237.) 171

June 30, Quebec. Same to the same. Will avail himself of the leave of absence. (B. 56, p. 244.) 325

July 7, Whitehall. Sydney to Haldimand. Investigation into the case of Solicitor General Williams. (B. 45, p. 174.) 107

July 16, Quebec. Haldimand to Sydney. Arrival of Lieut.-Colonel Hull, in relation to the evacuation of the upper posts. (B. 56, p. 248.) 329

The correspondence with the United States authorities on this subject follows. 332 to 338

1784.

July —, Montreal. General abstract of men, women and children settled on the n townships on the river St. Lawrence, beginning at No. 1, Lake Francis, and running upwards. (B. 168, p. 42.) Page

August 2, Whitehall. Sydney to Haldimand. Respecting ordinances. (B. 45, p. 176.)

August 13, Quebec. Haldimand to Sydney. Lieut.-Governor Sinclair's accounts have yet been investigated, owing to the state of his health. (B. 56, 273.)

August 16, Quebec. Same to the same. Acknowledging receipt of treaties of peace. 56, p. 275.)

August 31, Quebec. Same to Montgolfier (in French.) Respecting the mission Adhemar and Delisle; priests to be brought from Europe.

September 1, Quebec. Same to Sydney. Dispatches sent by Lord Belhaven. (B. 56, 279.)

September 15, Montreal. Montgolfier to Haldimand (in French). Thanks for his attenti (B. 75–2, p. 181.)

September 23, Quebec. Hamilton to the same. Asks for instructions in view of his (Ha mand's) approaching departure.

September 24, Quebec. Haldimand to Hamilton. That full instructions would be given bef he (Haldimand) left the Government.

September 30, Quebec. Same to Sydney. Acknowledging receipt of definitive treaty of pea (B. 56, p. 291.)

October 2, Quebec. Same to the same. Acknowledging instructions to be communicat (B. 56, p. 292.)

October 2, Quebec. Same to the same. Is anxious for instructions previous to leavi (B. 56, p. 294.)

October 3, Quebec. Same to the same. Acknowledging grants of land in Cape Breton loyalists. (B. 56, p. 293.)

October 4, Quebec. Same to the same. Giving his reasons for want of confidence in Attorney-General. (B. 56, p. 299.)

October 4, Quebec. Hugh Finlay to Nepean. Had received a letter from Gover Skene, that the news he (Finlay) sent had been pleasing; his reas for writing. Haldimand has not yet given Hamilton instructions, though he is to leave shortly, and that these would enable Hamilton gain such information as would be useful in the King's serv Mabane is the only person in whom Haldimand places confidence. St what his (Finlay's) course has been in the Council.

October 5, Quebec. Haldimand to Sydney. Death of St. Luc LaCorne; recommends René Amable de Boucherville to succeed him. (B. 56, p. 298)

October 6, Quebec. Same to the same. Sends descriptive returns of the officers of Provincial corps. (B. 56, p. 313.)
The returns follow.

October 6, Quebec. Haldimand to Sydney. Can obtain no information of F. E. Guigbo (B. 56, p. 314.)

October 6, Quebec. Same to the same. Introduces Sir John Johnson. (B. p. 315.)

October 11, Quebec. Same to the same. Respecting ecclesiastical affairs. (B. p. 10.)

October 21, Quebec. Hamilton to Haldimand. Repeating his request for instructions, enclosing questions on the subject of the government.
List of documents, instructions, &c., which he desires to have.

October 22, Quebec. Hamilton to Sydney. Prays for His Lordship's protection, and that may obtain full instructions as to his course, in view of the approach departure of Haldimand.

October 22, Quebec. Mathews to Hamilton. That he and Genevay have been emplo as constantly as the current business of the office would permit, in p paring the requisite documents for his (Hamilton's) guidance.

1784.
October 22, Quebec. Finlay to Nepean. The indifference of the French-Canadians to a House of Assembly. The superiority of the women over the men in point of education; the usefulness of the Grey Sisters in that respect. The necessity for education before a House of Assembly is thought of. The desire of the natural-born subjects for a House of Assembly; precautions (given in detail) to be taken before this is granted, but it should be given when the people are qualified by education and demand it. The aversion of the French-Canadians to taxation, so that were a House of Assembly constituted and imposed taxes, they would regard themselves as oppressed and seek to join the American Confederacy, not possessing knowledge enough to foresee the evil consequences of the junction, and the enemies of Government would make use of the discontent to keep up a bad spirit. The refusal by the Legislative Council to grant juries; states the arguments for and against juries in the courts. Believes that juries should be paid. Page 441

October 24, Quebec. Haldimand to Sydney. The visit of the Marquis de Lafayette. (B. 58, p. 14.) 377

October 25, Quebec. Haldimand to Sydney. Encloses copy of lease granted in 1762 for the Indian trade at the King's Posts. (B. 58, p. 17.) 381

Copy of the lease follows. 384

December 15, Whitehall. Sydney to the Governor of Quebec. At the instance of M. de Barthelemy, the French Chargé d'Affaires, the concession to M. Favry de Chantelou is to be registered in name of his nephew, the Count de Raudin, provided no improper use can be made of the allowance. 402

Papers relating to Cuthbert's claims for damage done to the Isle Raudin, which he claims as his property, and on which he complains that wood was illegally cut. 404 to 437

GOVERNOR HALDIMAND.—LIEUTENANT-GOVERNOR HAMILTON—1785.

Q. 24—1.

1784.
July 26, Quebec. Warrant authorizing the brig "Nancy" from Philadelphia, to be entered and her cargo discharged. Page 63

September 13, Montreal. St. Leger to Sydney. Thanks for His Lordship's good services; asks for an ensigncy for his son. 20

October 19, Quebec. Same to the same. The inadequacy of his pay and allowances to meet the largely increased expenditure, consequent on his taking the command on the departure of Haldimand. 22

October 20, Detroit. Hay to Haldimand. Had received letter regarding the proposed settlement at the mouth of the Detroit River, desiring a report, should the Indians apply for it; they have not done so. Will do all in his power to assist the disbanded soldiers and loyalists who wish to settle, but does not know the quantity of land to be allotted to each, nor regulations respecting their treatment. The implements for clearing and building will no doubt be distributed by Caldwell. Had sent list of loyalists present on the 2nd of September, and the names of persons near Fort Pitt, who wished to take refuge at the post. Other loyalists have since arrived and 20 persons from Fort Pitt, who wish for land; sends list of these and of others wishing to come who did not take up arms against their sovereign. Reports their condition and intentions. A Quaker says thousands of his persuasion would come if assured of protection. Describes the place in which a fort should be placed. Negotiations with the Indians for additional lands. 51

1784.

November 8, Quebec. Haldimand to Sydney. Arrival of two Mohawk Chiefs from I Stanwix, who report the speech of Lafayette to the deputies of the Nations, in which he assured them of the friendship the French K entertained for them. The United States Commissioners asked for return of the prisoners and for a grant of land to settle disbanded soldi The Indian deputies answered Lafayette that they acted with the K of England as the treaties bound them to do, and that the King of Fra ought not to have interfered. To the United States, the depu answered that they had already given up the prisoners and that t would acquaint the other Indians with the proposal respecting la Believes that the tranquillity of the upper country is not likely to interrupted. Page

November 10, Quebec. Same to the same. Introducing Major Jessup.

November 10, Quebec. Thomas Ainslie to the same. Sends table of exports from Quebec, the last four years.

The returns are for 1780, 1781, 1782 and 1783, with a note that in 1 there were exported by the new settlers in Gaspé and the Bay Chaleurs, 25,500 quintals of dried codfish.

November 14, Quebec. Letters of instructions left by Haldimand to St. Leger, on his tra ferring to him the command of the troops in the Province of Quebec. (B. 221, in which an abstract is given of the nature of the instructio &c.)

November 14, Quebec. Haldimand to Hamilton. Sends His Majesty's instructions. (B. 2 p. 54.)

November 14, Quebec. Same to the same. Sends schedule of less important papers, w explanation of instructions. (B. 221, p. 60.)

Schedule of papers.

November 14, Quebec. Haldimand to Hamilton. That, where necessary, there may be interchange of views with the commanding officer. (B. 221, p. 63.)

November 16, Quebec. State of the troops in the upper and lower parts of the Province Quebec.

November 18, Montreal. P. Langan to Hamilton. Sends a summary of the proceedings at meeting of the Caughnawagas with Lafayette at the Oneida village, with the commissioners from Congress. (See letter from Haldimand Sydney at page 17 of this volume, dated 8th November, the addres of Lafayette, and the commissioners being substantially the same those at Fort Stanwix to the Mohawks.)

November 21, Quebec. Petition of the ancient and new subjects of Quebec to the King, pr ing for a free constitution, with provisions on the following subjects: House of Representatives or Assembly. 2. A Council of not less th thirty members. 3. The criminal laws of England to be continued. The ancient laws of the country respecting landed estates, marria settlements, inheritances and dower to be continued. 5. The comm cial laws of England to be the laws of the Province. 6. The *Hab Corpus Act* to be made part of the Constitution. 7. That optional jur be granted. 8. That sheriffs be elected by Assembly. 9, 10. That officer be suspended or new office be created by the Governor, except the advice of Council. 11. That all offices of trust be executed by principal in the appointment, unless by leave of absence, which is to exceed twelve months, and is only to be given by advice of Coun 12, 13. Judges, how to be appointed and how appeals shall be made. That the Assembly have power to impose taxes to defray the expen of Civil Government. (All the names of the petitioners are given.)

November 24, Quebec. Bishop Briand to Hamilton (in French). Gives notice of his det mination to resign his office, on account of a malady which is incurab and transfer it to his worthy coadjutor, given him by His Majesty, s

1784.

whom he had consecrated twelve years ago by permission of Mr. Cramahé, then Lieutenant Governor. For twenty years he has preserved the people of his diocese in fidelity and impressed on them that they could neither be Christians nor true Catholics, if they were not faithful to their oaths and subject to the powers whom the providence of God had placed over them. Recommends the appointment of a coadjutor to his successor, who is in his 75th year, involving a danger of losing both, which terrifies his people. Recommends this as the last and most important affair whose success can interest him. Page 29

November 25, Quebec. Hamilton to Bishop Briand (in French). His sorrow at the cause of his resignation of an office which His Lordship has so worthily filled, and the regret with which the whole Province would learn of his resignation. Will transmit immediately His Lordship's letter to the Secretary of State and communicate the answer. 32

November 29, Quebec. Extract from the letter of resignation (in French) of Bishop Briand. 34

November 29, Montreal. Langan to Hamilton. Has sent to St. Leger a copy of his letter of the 18th. Sends extract from a letter of John Dease, dated on the 13th at Niagara, giving a message brought by Captain Aaron (the Mohawk) of the disagreeable situation of the Indians at Fort Stanwix; the threats of the Commissioners to make hostages of the principal chiefs. The Governor of New York had gone off displeased, as the Commissioners would not allow him to interfere and were carrying things with a high hand. 49

November 30, Quebec. Extract from the election and nomination (in French), of Monsieur Hubert, as co-adjutor to Monsieur Desglys. 35—42

November —, List of civil papers left with Lieut. Governor Hamilton. 105

November —, Quebec. Return of disbanded troops and loyalists settled upon the King's lands in the Province of Quebec. (B. 221, p. 52.) 163

(The numbers only are given, not the names.)

December 1, Quebec. Recommendation (in French), signed by Mgr. Gravé, Vicar General, Bedard, Superior, and by other members of the Seminary, by Augustin Louis de Glapion, ancien supérieur des Jésuites en Canada, by various curés and by laymen, also (in English), by the members of the Legislative Council in favour of M. Hubert. 37–39

December 2, Quebec. Hamilton to Sydney (No. 1). After writing that he had received no instructions, Mathews brought him a trunk full of papers, which he had examined and given a receipt for. Meeting of Council; sailing of Haldimand. His inexperience; how he had forwarded documents. 24

December 2, Quebec. Same to the same. Bishop Briand intends to lay down his office for reasons given, and an attested certificate of the resignation has been left by the co-adjutor, M. d'Esglis and M. Gravé. A meeting of Council called and the matter laid before it. Applies for His Majesty's approbation of M. Hubert to act as co-adjutor, so that he may receive his qualification under the Great Seal of the Province. 27

December 2, Quebec. Minute of Council, endorsed: "Copy of Minute of Council relative to demission of M. Briand, Bishop of Quebec." 40

December 2, Quebec. Hamilton to Sydney. Sends two letters from Langan on Indian affairs; will send all the information on that head, although Haldimand had told him that an attention to the Indians was no part of his duty. Sir John Johnson, who is in London, is most competent to satisfy His Lordship as to Langan's letters. Will endeavour to counteract any attempts of Lafayette to form a connection in this country. Sends letter from Hay, the Governor of Detroit, of which Haldimand, who is in London, can give an explanation. Has, however, recommended Hay to give encouragemant to the people recommended by McKee. It is desirable that Quakers should be placed remote from the posts, which

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might become scenes of contest. Has sent Hay an extract from Lord North's letter of 24th July, 1783, as a good rule for his conduct. (See B. 45, p. 103.) Page 43

December 11, Quebec. William Bell. For leave to bring by sea such of his property as he can realise in articles the produce of the United States as are admitted to entry in the ports of Great Britain. 267

On the 23rd and 24th of December this memorial was considered and the prayer of the petition refused. 268

December 14, Montreal. Hazleton Spencer, Oliver Church and John Dusenbery for passes to go to the Colonies to settle their private affairs, and return with such property as they can collect. 267

December —. Memorial to Sir John Johnson from the officers and private men of the late corps of Loyal Rangers, now inhabitants of the royal seigniory, No. 2., above Cataraqui. The memorial states that they were disbanded without half-pay or allowances; the inadequacy of their allowance of provisions; prays for assistance to procure a few cattle, &c.; a grant of lands on the same tenure as those held in other Colonies; assistance to establish a school, and half-pay for their officers. 262

Remarks, dated 23rd January, 1785, on the memorial. 265

No date. General recapitulation of the census of the Province of Quebec, with separate tables. 176 to 179

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January 1, Quebec. State and expense of the naval department in the Province of Quebec. 162

January 9, Quebec. Hamilton to Sydney (No. 2). Transmits a petition from residents of the Colony to be laid before the King for a House of Assembly. Has heard that a counter petition is to be sent. Does not learn that differences of opinion have produced confusion in the Province. 232

Petition and answer follow. 233

January 17, Quebec. Calculation by John Collins of the quantity of grain and seed necessary for the supply of the Royalists settled above Lachine. 271

January 23, Quebec. Hamilton to Sydney (No. 3). Sends papers by way of Halifax; the expediency of opening this route; sends Finlay's report on the subject. Had been obliged to obtain copies of instructions left with St. Leger; he would have been in a better position to act had he seen them before Haldimand left. St. Leger had to leave this place on the 18th of November from ill health. Remarks on the position of the loyalists; asks for modifications in the law, so as to admit the entry of ships belonging to loyalists. Had given more seed wheat and an allowance of medicine, besides employing a medical man. Refers His Lordship to Major Ross for the propriety of these steps, and to Sir John Johnson for information about the Indians in the neighbourhood of Detroit. It might be advisable to prepare for encroachments by the Americans on the Miamis, Sanduskys, Hurons, Shawanese, Delawares and even the Wabash. 258

January 23, Quebec. Queries from Lieut.-Governor Hamilton to General Haldimand of 21st October, 1784, with after remarks on this date. 261a

February 5, New York. James Monroe to Brant. In answer to Brant's letter, explains that the hostages (Aaron Hill and others) were only kept in accordance with an old custom, until the prisoners were given up; his confidence in the Indians; "between the Indians and the United States, I would require no other obligation than their mutual honour." Appeals to Brant if it it is not better for the Indians to join the United States than to be allied with any European power. 227

February 7, London. Haldimand to Sydney. Sends, on the request of Sir John Johnson, estimates of presents for the Indians and of farming utensils for the loyalists settled on the Crown Lands. 56

Estimates. 57-59

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February 14, Quebec. Hamilton to Sydney. Has had the Act renouncing the right of taxation in any of the Colonies published. Sends petition from loyalists settled on Mississquoi Bay, with remarks on the regulations by Haldimand, that provisions should not be granted to those settled on private seigniories. Page 184

Petition signed by Christopher Wehr and others. 187

February 14, Quebec. St. Leger to Sydney (No. 1). That he thinks it his duty to write on every opportunity. He has obeyed instructions and observed the strictest economy. The unusual quantity of furs from the upper country has given a new spur to the avidity and jealousy of the States of America, and has increased their desire to share this trade. Conjectures as to the course they may take to secure the posts, either by stratagem or force. The measures taken to prevent the success of either, although he has seen nothing to induce him to believe that it would be thought prudent to adopt either system, and there are wise men in their councils who would not risk the effect a breach of the treaty would have on the minds of the European powers. The necessity Congress is under to conciliate the Indians and the failure to fulfil the stipulations must show the Americans that they can expect no transfer of the posts except by the King's special order, which he shall observe when received. Expects provisions early in Spring to subsist the troops, loyalists and Indians. Remarks on the case of the two last classes; distress among the loyalists, who have largely increased since the census was taken by Haldimand. In civil matters, a spirit of innovation is fast gaining ground among the Canadians, which will require speedy and decisive determination on the future conduct to be observed with respect to this country, the spirit of disobedience being fostered by old subjects for their own ends. Hopes it has not gone so far as to impede transport to the upper country. Major Ross, who carries this letter, can give full information of the state of affairs. 191

March 3, London. Haldimand to the same. Urging that provisions be continued to the loyalist settlers, who are unable to obtain sustenance from their lands this year. Sends abstract of the number to whom a further supply of rations should be granted. 64

Number of loyalists settled upon Crown lands in Quebec, with estimate of provisions required. 66

March 10, London. Haldimand to Sydney. Renews his recommendation that Alexander and George Davison should be granted the lease of the King's posts, and that Mr. Dunn and Mr. Baby may have a share, the two Davisons to have one-third each and Dunn and Baby to have a third between them. 67

March 10, Quebec. Hamilton to the same. Has taken steps to ascertain the feasibility of establishing a carrying place between Cataraqui and Lake Huron. The alleged advantages of the project, of which Rocheblave is the author, who seeks for a grant of the carrying place should it be made. The number of loyalists resorting to the Province; thousands may be expecteds this year. 242

March 15, Whitehall. Sydney to Hamilton. To prepare the lease of the King's posts, two thirds to the Davisons and one third to Dunn and Baby, and alternative instructions should either or both of the latter decline the lease. 69

April 5, Quebec. Hamilton to Sydney. The probability of an influx of loyalists; desires instructions as to the issue of provisions; how long those in store will last. Owing to the scattered state of the loyalists, he has been obliged to make certain appointments. (The names of those appointed are given.) 244

April 7, Quebec. Same to the same Speculations as to the effect of the influx of Americans on the banks of the Ohio; the destruction of the fur trade, &c. The fertility of the soil will force the settlers to seek a market; British

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merchants will form with them commercial agreements and the fur trade will be engrossed by Canadian and Hudson Bay traders. With this object in view has had a survey made of the communication between Montreal and Lake Huron mentioned in his letter (p. 242); part of the plan sent; the rest will be finished in Spring. Is at a loss how to deal with regard to applications on commercial matters. Page 247

The plan follows page 249.

April 7, Quebec. Hamilton to Sydney. Sends minutes of the Legislative Council and of the Council of State. The necessity of improving the ordinance regulating the Militia. 251

Extract from the minutes of the Council of State containing a proposal from Vermont for free trade to and through the Province of Quebec. 252

April 8, London. Mathews to Nepean. List of salaries to schoolmasters. The character of Stuart, whom Haldimand intends to recommend to be appointed chaplain at Cataraqui. 71

April 10, London. Haldimand to Sydney. That in defence of the public interest, he was obliged to refuse payment of bills drawn by Sinclair, Lieut.-Governor of Michilimakinak, and is now sued for £50,000 by the holders. Asks that protection be given him by the ministry, as he is conscious that he has deserved it. 73

April 11, London. Petition of Sir John Johnson and other subscribers, on behalf of the officers and soldiers of the Provincial troops and Indian department, and of other loyalists. The petitioners point out the hardships involved in the land tenure of Canada and propose: 1. A district from Point au Baudet westward, distinct from the Province of Quebec. 2. The district to be divided into counties, Cataraqui being the metropolis. Reasons and considerations respecting the proposals are given at length and the petition closes with these words: "Your petitioners implore Your Majesty that the blessings of the British laws and of the British government and an exemption from the French tenures may be extended to the aforesaid settlements." The first signature is that of Guy Johnson. 76

April 12, London. Haldimand to Nepean. Calls attention to the necessity of at once sending orders respecting the transport of merchandise on the lakes, and of having an immediate supply of provisions sent for the loyalist settlers. The communications on both subjects should be made to the officer in command of the troops. 85

April 18, London. Mathews to Nepean. That Haldimand had been visited by Mr. R——. It appears that the enclosed papers had not been sent to Lord Sydney; they are now forwarded to be laid before His Lordship. 88

Enclosed. Objections (in French) to the demands made in the address read at the Recollets, on the 30th of November, 1784. These objections and criticisms are made article by article. 89

An undated address (in French) follows, petitioning for priests, of whom there is an urgent necessity, &c. 97

April 22, London. Haldimand to Nepean. Sends a letter from Mr. Hunter, the request in which he recommends should be granted, but it should be referred to the Governor and Council in Quebec to provide for the expense. 102

The letter from Robert Hunter, dated 11th April, embodied a request of the merchants in the Quebec trade, that the navigation of the St. Lawrence might be made less dangerous by laying down buoys, &c. 103

April 26, London. Haldimand to Sydney. Sends and recommends to consideration, petition of Van Alstine for the payment of arrears due to himself and his company. Reasons why the claim was not settled. 198

Van Alstine's memorials and accounts. 200 to 211

April 27, Whitehall. Sydney to Hamilton. That to prevent the distresses to which the loyalists settled on Crown lands would be exposed, a supply of provisions

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and farming utensils is sent for their use, and a further supply of presents for the Indians. Page 212

April 30, Whitehall. Sydney to Hamilton. Acknowledges dispatches of 22nd October and 2nd December last. That from the reasons given by Haldimand for not communicating to him (Hamilton) the measures relative to the Government, he can see no cause for censuring him (Haldimand). Observes signs of party spirit; it is his duty and that of all the King's servants, to endeavour to allay all the heats now existing, and to discourage assemblies which endanger the peace and welfare of the Province. The clear manner in which the instructions to him and to the military commander have been drawn up. The King approves of the Rev. M. d'Eglis succeeding Mgr. Briand, but cannot sanction the appointment of M. Hubert, though aware of his great merit, in preference to M. Montgolfier, to whom the coadjutorship must first be offered. To contradict the reports that Government entertained designs hostile to the clergy. The Indians to be closely observed; the means to be taken to secure their affection. Sir John Johnson has been ordered to embark with that purpose in view. Petitions and counter petitions respecting a change in the system of government received and laid before the King. 214

April 30, Whitehall. Same to the same. Sends copy of Hunter's letter respecting improvements in the navigation of the St. Lawrence, and desires him to lay before Council the proposal for placing buoys in the river, so that the expense may be provided for. 219

April 30, Whitehall. Same to St. Leger. That full instructions will be sent before the posts are to be given up. Has no reason to think that attempts will be made to take them by force, but believes that Haldimand's arrangement would defeat such attempts. Is sorry to hear of his ill-health; if necessary he is to call on Hope for assistance. The Treasury is making arrangements for the supply of provisions for the troops and for the loyalist settlers, as well as of farming utensils for the latter. 220

April 30, Whitehall. Same to the same. If the state of his health does not improve, will try to get leave for him to retire to the south of France. In the meantime he can have the assistance of Hope. 222

April —, London. Mathews to Nepean. Note of letters asked for; will get the papers he wishes, but they are in boxes. 180

May 4, London. Sir John Johnson to the same. Sends Lafayette's speech to the Indians of Canada, at the Treaty of Fort Stanwix last autumn, and copy of a letter from a member of Congress to Joseph Brant. Is his business in such train as to warrant his taking a passage to Canada? 223

Lafayette's speech (in French). 224

Monroe's letter to Brant of 5th February, calendared at its date. 227

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October 4. Memorial of North-West Company and letter from Frobisher with letter from Hamilton of 6th June, 1785. Also in B. 217, pp. 462-467. Pages 405-409

October 29, Rutland. Act by the State of Vermont for the purpose of opening a free trade to and through the Province of Quebec, with a resolution to appoint Ira Allen, Major Joseph Fay and Hon. Jonas Fay, Commissioners for the purpose. (With Hamilton's letter of 7th April, 1785, p. 282.) 284

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The commission, dated 8th November, and the memorial and observations of Ira Allen, dated at Quebec, 29th March, 1785. Pages 288-289

October —, Quebec. Abstract from the musters of the disbanded troops and loyalists in the several quarters and settlements in the Province of Quebec in October, 1784. (With Haldimand's note to Nepean of 27th April, 1785.) 296a

1785. January 21, Fort McIntosh. Articles of agreement concluded at Fort McIntosh, between the Commissioners plenipotentiary of the United States of America and Sachems and warriors of "Windott, Delaware, Chippaway and Ottaway Nations." (Names are given here as in agreement.) The lands claimed by the United States and those allotted to the Indians are described in the agreement. 472

April 2, Montreal. Memorial to the Lieutenant-Governor from the merchants of Montreal for relaxations in the regulations for the Indian trade. (With St. Leger's letter of 7th May.) 329

April 7, Quebec. Hamilton to Sydney. The arrival of Mr. Allen who presented a commission (enclosed) to treat for free trade between Vermont and Canada. The reasons for a desire for such trade on the part of Vermont and the Canadians; the objections. Mr. Allen sent back with an indefinite answer. (The enclosures which follow are calendared at their dates.) 282

April 9, Quebec. Same to same. Respecting Pond, his discoveries and the remarks concerning them. These he (Hamilton) would try to draw up and transmit in a future letter. The map precedes this letter. 430

April 11, Montreal. Representation (in French) of inhabitants of Montreal, in opposition to an ordinance for the registration of deeds affecting property and to the ordinance to renew the ordinance of 29th March, 1777, respecting the militia of the Province. The names of the petitioners are given. (With St. Leger's letter of 2nd June.) 357

Table with the price of corvées, with remarks. 362

Other documents on the same subject (referred to in St. Leger's letter of 2nd June) follow. 365 to 373

April 15, Quebec. Minute of the Council of State, respecting the memorial from the merchants of Montreal on the Indian trade. (With St. Leger's letter of 7th May. 333

April 18, Quebec. Memorial of Peter Pond for the North-West Company. With copy of a previous memorial (p. 405) and statement of the steps taken towards making discoveries in the North-West. 418

April 20, Quebec. Hamilton to Sydney. Remarks on the minutes of Council sent; the desire of members to forward salutary messures, are opposed generally by the same persons; there being a few in the Province who seek to make the Canadians feel the restraints of law, so as to lead them to regard their situation unfavourably as compared with that under French rule. The nece-sity of conciliating Englishmen and their descendants who are coming to the Province. The unimproved state of the law regulating the militia. Had called attention to this in the private Council; the open expression of one of the councillors a native of the country, that he preferred the ancient Government; the disturbance thereupon, to which he put a stop. He cannot help recalling the visit of Lafayette and other intrigues. Remarks on the ideas of some that a military government can alone retain the Canadians; these are brought forward by people wanting fortune, activity, information and true public spirit. His own course in receiving all petitions and remonstrances, so as to learn what abuses are to be remedied. 291

April 27, London. Haldimand to Nepean. With an abstract of a muster of loyalists taken in 1784. (The muster, enclosed, is calendared at its proper date). 296

May 2, Montreal. Frobisher to Hamilton. Thanks for the care taken to prevent the spread of the St. Paul's Bay malady. Pond will be careful of the

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medicines sent. Has made inquiry as to the practicability of a road from Lake Ontario to Lake Huron; can get no satisfactory information. Does not believe a suitable road can be found from the Bay of Quinté, the water being unfit for the passage of large canoes, besides there being six or seven carrying places to reach Lake la Clie (Lac aux claies, now Lake Simcoe), three of them being nearly three leagues. A survey should, however, be made. The advantages of the Toronto portage, of which a plan is sent (follows p. 421). The difficulties and how they might be overcome. The advantages of settling the land, which is good and if granted in small lots would attract population. Whatever the result of the survey from the Bay of Quinté, the Toronto portage should be opened at once, as plenty of provisions with other advantages would be secured. The difficulties in the present road by the Ottawa River, of which some details are given. Page 423

May 7, Montreal. St. Leger to Sydney. Had been obliged to deviate from the system adopted by Haldimand in respect to the transport of Indian goods, in consequence of the favourable opinion of the Council on the petition of the merchants, and by the state of the Government vessels intended for transport. Has consented to allow the merchants to use their own vessels. Has sent a reinforcement to Michillimakinak to relieve the apprehensions of the merchants of danger from the Indians. The Lieutenant Governor has stationed an officer of customs there to guard against illicit trade from the United States. 326

The memorial, 2nd April, to the Lieutenant Governor referred to in St. Leger's letter. 329

The Minutes of the Council referred to in the same letter. 333

May 18, Wake-tumikee. Council of the Shawanese, Mingoes, Delawares and Cherokees. Captain Wolf, a Mingo, protested against the Indian lands being encroached on; they had taken a prisoner from the Virginians and now delivered him (John Crawford) to the chiefs to be examined. Captain Johnny, Shawanese, addressing the Virginians, reminded them of the councils they held at Fort Stanwix and Beaver Creek, at the first of which they had seized some of the Six Nations and detained them prisoners, that they had behaved in the same way at Fort McIntosh. They would presently kindle another Council fire; if they did so near them (the Indians) they would not go to it nor listen to them, if at Detroit, they would think some good was meant. They knew their (the United States) intention was to draw near, so near that in bed they could hear the sound of the axes felling the trees. Points out the boundaries agreed on which were encroached on; this they were determined to resist. They had called in Simon Girty that their words might be fully explained before him, and gave up the foolish young man Crawford. 478

May 25, Quebec. Thomas Ainslie, Collector, and Thomas Scott, Comptroller of Customs, that no attempt has yet been made at Quebec to obtain British registers for United States ships, and that care would be taken to prevent such an abuse. 380

May 26, Quebec. Hamilton to Sydney. Has received the positive order to grant a lease of the King's posts to Alexander and George Davison and others. That he had already granted leases to Thomas Dunn and William Grant for reasons given and asks for instructions. 335

The memorial by Thomas Dunn, William Grant and Peter Stuart for a renewal of their lease of the King's posts, and the other documents relative to the renewal follow. 338 to 352

May 26, Quebec. Hope to Haldimand. Is sending this by way of New York. Letters written by Major Mathews received. Thanks for his good wishes, &c. The pains taken to stir up a bad spirit in the country. The injudicious proposals of the Lieutenant-Governor respecting a new militia law

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defeated in council, the old law being renewed for a year. A new jury law passed to apply to civil as well as criminal cases. The petitions sent in by those in Quebec who signed for a House of Assembly, in which, during the discussions, they were joined by people from Montreal. In these petitions the mask was thrown off, as will be seen by extract sent. The Lieutenant-Governor proposed to send these petitions containing attacks on persons high in station, rank and character, but was overruled by the Council. The attacks were even more scurrilous than he (Hope) had thought on a first perusal. As he and the Lieutenant Governor differed in opinion on the subject of transmitting the petitions, he (Hope) felt obliged to take the subject of them up publicly. Sends what he wrote in the Gazette of 29th April. Further letters from the signers of the petition in Montreal, answered by the Lieutenant-Governor in his own name, contrary to the opinion of the Council and of the military commanders, and written in such a tone as to encourage the attacks. Sends answer of the 19th May, to his letter, showing the spirit at present prevailing, and the minutes of Council will show all that has passed. Is gratified to find that he (Haldimand) is to return this Summer, as otherwise the country is lost to Great Britain; all is quiet in the upper country. The Brigadier General (St. Leger) has had a terrible Winter, but no man could have executed his orders better.

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The extracts and remarks are at pages 359, 360, 363 to 365.

May 27, Quebec. Opinion (in French), by F. J. Cugnet on the claim of Favry de Chantelou to the Bay of Phelipeaux on the coast of Labrador. (With Hamilton's letter of 4th June). 376

May 29, Detroit. McKee to Sir John Johnson. Sends articles of agreement between the American Commissioners and Indians at a late council at Beaver Creek. The belts, &c., recapitulate the injuries done by the Indians during the late war and the ample means the Americans have to retaliate, with the impotence of the English to protect them and the demand that the Indians should accept peace or relinquish their lands; throw themselves on the mercy of the Americans and confine themselves to the narrow limits of the lands allowed them. The disgust of the Indians at these terms. Deputations gone to other tribes to strengthen alliances and to settle measures to resist an attempt to drive them from their country, for which they look for assistance from their great father. Hostilities likely. Report that parties of Americans have been killed. Messages received at Sandusky from the Wabash and remote nations, to hold their ground. Messages have, in consequence, been sent to the Americans to desist from coming to their country. Lands reported to be marked out. 469

June 2, Montreal. St. Leger to Sydney (No. 3). His last letter sent in February. The impatience of the Americans to get the posts seems to have died away, as he has not heard of the matter for some time. The troops are in high health. The provisions are exhausting fast owing to the increased number of loyalists admitted during the Winter. The impediments to transport of provisions to the upper posts caused by intrigues, as already mentioned. If continued, the maintenance of the upper posts must be rendered impossible. The indecent aspersions cast on the military officers, repeated in the most offensive form by those guilty of these attacks; enclosing papers containing them, with correspondence in the newspapers, &c. Except a few of the subscribers, the rest are mechanics of the lowest class living in Montreal. Hamilton will send copy of the proceedings of Council, they (St. Leger and Hamilton) have differed in opinion; it is for His Lordship to give their views consideration. 353

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June 2, Detroit. McKee to Sir John Johnson. Sends minutes brought by Simon Girty of a meeting held by the nations inhabiting the country contiguous to the Ohio. These show the resolution of the Indians to defend their country as long as they are able. They never asked for peace; they thought the Americans desired it, and listened to them by the advice of their Father, having no idea that the Americans looked on them as a conquered people till so informed by the commissioners. Arrival of persons from Pittsburg, seeking refuge from persecution. Many others ready to follow. Page 476

(For minutes of Council enclosed, see abstract of 18th May.)

June 4, Quebec. Hamilton to Sydney. Letters received. Sends report by Cugnet respecting the claim by Favry de Chantelou to have a grant for the Bay Phelipeaux on the Labrador coast registered in name of Count Raudin. Has received confirmation of the ordinance establishing *habeas corpus*. Sends letter respecting alleged registration of American vessels as British ships. Has received King's speech. Has already written in answer to the order to grant the lease of the King's posts to Alexander and George Davison. 374

June 4, Quebec. Same to same. Sends minutes of Council with remarks on the representation respecting the militia law, &c., and on the manner in which the corvée had been conducted. His rule to admit all representations, "the liberty of remonstrating is not always used with discretion, but it is dangerous to treat with contempt any class of men." Thinks that the answer of the Council would have contented the public; the printed publications and minutes of the Council will show how much many differed with him. His disapproval of the irregular manner in which the corvée was conducted. 381

June 6, Quebec. Same to same. Sends addresses to show the loyal disposition and content of a number of His Majesty's subjects in the Province. If approved, he should be pleased to be the medium of communicating the answer. 394

Address from Quebec on the King's birthday, with thanks for the measures taken to facilitate the fisheries in the lower part of the Province and the Indian trade in the upper country. (The same in French 401.) 395

The Address, dated from Montreal, 9th May, besides the above subjects, returns thanks for the extension of trials by jury to commercial disputes, &c. 398

June 6, Quebec. Hamilton to Sydney. Encloses a memorial to Haldimand from North-West traders and also their memorial to himself for exclusive trade. Although opposed to monopolies, yet he believes that were the trade suddenly thrown open, it would lead to endless quarrels and blood shed. Sends plan showing communication from Lake Ontario to Lake Huron (to follow 421); and Pond's discoveries (to follow 429). Asks for instructions. 403

The memorial of the North-West Company and letter of Frobisher, dated 4th October, 1784 in B. 217, pp. 462–467. 405–409

June 6, Quebec. Hamilton to Sydney. Representation respecting the services and losses of Jehu Hay, Lieutenant-Governor of Detroit. 435

June 9, Quebec. Same to same. Representing the services and claims of Philip Rocheblave. 439

Extracts from letters respecting Rocheblave from Sir Guy Carleton to Hamilton and to him (Rocheblave.) 443

June 18, Quebec. Representation (in French) of the advocates and notaries of the Province of Quebec to the King. Representing the hardship that would be inflicted on them by the provisions of the ordinance Chapter IV, of 1785. (The complaint refers specially to Section VII, which separates the functions of notaries and advocates, so that the notary should not

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practice as an advocate, nor the advocate as a notary. The provision respecting the course of study was amended in 1787, (Chapter XI) but the other sections were not changed. Page 274

June 18, Quebec. Hamilton to Sydney. Sends minutes of Council with remarks. Sends return of the Indian outfit (p. 434). The progress of the loyalists at Cataraqui. Introduces Mr. Dunn. 446

Minutes of the Council of State of 12th and 16th March, concerning applications for lands. 448

Minutes of the 24th and 28th March, relative to an application from Vermont for free trade, declined, the Council having no authority. 450

June 21. London. Haldimand to Sydney. Sends claims of the Mohawks and other Six Nation Indians for losses during the late rebellion. These were brought by Brant and two other chiefs, who wished to carry them to London, and were only stopped on his promise to lay their claims himself before the Ministry. Trusts that a payment in part, at least, may be made to the Indians as early as to the loyalists. 297

Estimate of the losses in the real and personal estate of the Six Nations, referred to in the preceding letter as valued in 1775. 299 to 325

June 23, Quebec. Hamilton to Townshend. Acknowledges circular respecting the trade between the United States and Newfoundland. 455

June 24. Whitehall. Sydney to Hamilton. That Mr. Roderick Macdonell has been asked by a number of Scotch Highlanders and other British subjects of the Roman Catholic persuasion, who were inhabitants of the back parts of New York during the war and now settled in the higher parts of Canada, to join them in order to serve them in the capacity of a clergyman. He hopes on his arrival to be allowed an annual subsistence by Government. He is to be allowed to join. The King's decision as to an allowance shall be communicated at an early opportunity. 279

Memorial follows. 280

July 1, Montreal. Mgr. Montgolfier to Hamilton (in French). His gratitude for the honour done to him by the King in offering him the office of Coadjutor, but his advanced age and want of experience compel him to decline it. Asks that effect be given to the presentation in favour of M. François Hubert, by the clergy and people of Canada. 489

July 1, Quebec. Memorial of Jacob Schieffelin stating his services and losses and praying for such allowance as Government may deem adequate. 494

Account of losses by Schieffelin and Smith on the 9th of April, 1779, when the goods were thrown overboard from His Majesty's ship "Angelica." 497

July 7, Quebec. Council of State. Proceedings respecting the construction of a road by Temiscouata to New Brunswick and Nova Scotia, to have communication for mails, &c., through British territory, to obviate the necessity of submitting to the exorbitant conditions of the Postmaster General of New York. The report of Hugh Finlay is embodied in the minutes. 483

July 8, Quebec. Hamilton to Sydney. Sends papers and letter from Hay, Detroit, that several persons from the Colonies have come in and taken the oaths. He has not yet settled about granting lands to them. These people had seen recruiting parties out, which alarmed them, and that from the difference between Church of England people and Presbyterians a rupture was likely. He (Hamilton) believes from the turbulent disposition of the people of New York, that there will be internal trouble, which will prevent attacks on the upper country; that the attempt to raise a small number of men in Albany was attended with difficulty, and that the methods of raising taxation were odious. The minutes of Council will show what has been done towards improving the navigation of the St. Lawrence, and the opening of a communication with New Brunswick and Nova Scotia. Forwards a memorial from Jacob Schieffelin, recommending his case. 466

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July 8, Quebec. Minutes of the Council of State. The question of improving the navigation of the St. Lawrence referred to the Legislative Council. Page 482

July 8, Quebec. Hamilton to Montgolfier (in French). That his letter would be forwarded to Lord Sydney. Expresses his own sense of his (Montgolfier's) merits, and his hopes for his returning health. 491

July 9, Quebec. Bishop Desgly to Sydney (in French). Acknowledgment of the King's favour. The royal approbation of the conduct of Mgr. Briand will not fail to make that serve as a model for his own. But for Mgr. Montgolfier's advanced age, and his opposition to the appointment, he would have recommended him to the office of coadjutor, and prays that the wishes of the Province may be complied with for the appointment of M. Hubert. 492

July 17, London. Haldimand to Sydney. Sends letters from Hope and from Twiss and Maurer, respecting the representation of Hope, giving a just idea of the persons to whom Hamilton is giving his countenance, and showing how unfit a person he was to be treated with confidence. 384

July 21, London. Sir John Johnson to Nepean. Sends returns of the Indian Department. Is anxious to know if he is to prepare to sail for Canada, or to remain in London another Winter. 432

Returns (not paged) follow after 434

August 4, London. Sir John Johnson to Sydney. That the question of his salary as Indian superintendent may be left to His Lordship. Refers slightly to his losses, but states the mortification he felt at not receiving military rank at the close of the war, to which he felt he was entitled. 456

August 6, London. Barthelemy to Sydney (in French). Introduces Abbé Pinet, and recommends that he be granted an interview. 459

Statement (in French) by M. Pinet, for the congregation of the priests of the Seminary of St. Sulpice of Paris, who have an establishment in Montreal. 460

August 8, London. Haldimand to Nepean. Does not know Abbé Pinet. It may be well to receive what he has to say in writing, so that it may be compared with Adhemar's schemes. 462

August 19, London. Pinet to Sydney (in French). That the Sulpicians have been training ecclesiastics to serve the cause of religion, and it would be to hinder its free exercise were they to be compelled to receive others than those they had themselves trained. 463

August 25, London. Sydney to Pinet (in French). Is convinced of the purity of the teaching, &c., of the men that would be selected by the Sulpicians. His Majesty is, however, making every effort to secure priests, whose morals, piety and zeal will be for the benefit of his Catholic subjects. 465

MISCELLANEOUS CORRESPONDENCE—1785.

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February 5, Montreal. Address (in French) by the Committee of Seigniors, gentlemen, principal tenants and citizens of the Province of Quebec, to Sydney, enclosing a petition in opposition to the plan proposed for the change of government in that Province. Page 241

Minutes (in French) of a meeting held at the town of Boucherville, authorizing the Seignior to sign the foregoing petition. 243

March 16. London. Memorandum respecting public matters in the Province of Quebec, submitted to the consideration of the Right Hon. Lord Sydney by General Haldimand. 1. Means the most probable to retain the Six Nations and Western Indians in the King's interest. 2. Preservation of the fur trade and

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request of the North-West Company. 3. Plan for navigation of the lakes in the upper country. 4. Plan for the establishment of the disbanded corps and loyalists settled upon the Crown lands. 5. Respecting the fortifications of Quebec and the several posts throughout the Province. 6. Civil affairs. 7. To discountenance the correspondence carried on by people styling themselves deputies from Canada. 8. Plan for establishing a Court of Appeal. 9. Post office revenue. 10. Ainslie and Davison to be recommended for seats in the Council. Page 295 to 313

March 20. Shawanese Towns. Message to McKee from the Shawanese, informing him of the demand made for lands by the Americans. 52

April 3. Detroit. Report by Simon Girty of what took place at the Council at Beaver Creek, at which the Americans held five Indians as hostages for the return of prisoners. That the Indians neither consented nor objected to the demand made for their lands, having gone to the Council only to listen to the propositions;—that Clark proposed to hold another meeting on the Miami River, and that a Delaware chief attempted to defend the right of the Indians to their lands. The commissioners demanded that the war hatchet should be delivered up and buried, but the Indians said they would deliver it to their Father, whose orders they would obey. The Lake Indians said they had no prisoners. A Huron chief who accompanied him (Girty) part of the way said that the Indians were dissatisfied at the extent of land asked for by the Americans and several parties of them had gone against the frontiers. 74

May 26. Quebec. Hope to Governor Carleton, New Brunswick. Detailed statement of the proceedings in the case of the ordinances respecting registration and the organisation of the militia; the representations sent from Quebec and Montreal; the charges against the conduct of the officers in charge of the transport, &c.; his answer and the infatuated conduct of Hamilton, who, with the most generous heart and the best intentions, lets himself be led away by a chimera, thus subjecting himself to the insinuations of designing men. Remarks at length on the general subject of Hamilton's course, and the effect it has had on public opinion. Is sorry for this, as it will hurt him (Hamilton) materially. Has no doubt that his (Hope's) conduct will be unsparingly canvassed by the merchants here, who will undoubtedly write to the merchants in London in the same way, but will, before long, find the bad effects of Hamilton's course on their own business. The whole question is one of a very serious nature. P.S.—That many who had signed the representation had sent word that their signatures were obtained on false statements. 15

May 31. Detroit. Information of Loyalists (named) from Redstone, that owing to the treatment they had received from the Americans they had come for refuge; they would have come sooner, but could not bring their wives and children except at the risk of their lives. Hoped to take back encouragement for others to come in. Polluck, an American, had passed at New Orleans bills issued by Congress for more than their value, and was detained till the amount had been paid. Robberies committed by Kentuckians on Spanish settlements, the Spaniards followed to the Falls of Ohio, where the officer in command promised to deliver the guilty but refused on finding they were principal people at the post. The Spaniards have threatened revenge, and Minory, an American at New Orleans, reports they will have no further dealings with the United States and war was expected. That orders had been given from Philadelphia to raise a large number of troops. Imprisonment of two of the loyalists in 1778, who were robbed of everything. 64

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May to August. Papers concerning the lease of the King's posts, including correspondence, leases, memorials, opinions of counsel, &c., from May to August. Page 247 to 294

June 2, Detroit. George Sharp to Gov. Hay. That the Governors of New Orleans and Natchez had denied all communication to England, France and America by the Mississippi, and that the Provinces of North Carolina, Georgia and Virginia had prohibited all commerce on the Cherokee River till the Cherokee Indians had made peace; that the Americans intended to settle the Cherokee River this summer and had sent out surveyors. This, however, is only rumour. He had been well received by the Indians, who seemed inclined for peace. 62

June 2, Detroit. McKee to Sir John Johnson. Received proceedings of a council brought by Simon Girty. (Q. 24-2, p. 476.) 72

June 15. Proclamation by the Congress of the United States, forbidding settlement on the unappropriated lands on the Ohio until they are surveyed and opened for sale, and ordering the departure of all already settled there. 203

June 16, Quebec. Hope to Nepean. Sends this letter by Captain Nicholas of the 44th, whom he strongly recommends. Is gratified at Lord Sydney's favourable intentions towards him. Has sent letters to Haldimand on the subjects mentioned in St. Leger's dispatches. (Q. 24—2 p. 386.) In Haldimand's absence wishes the matter brought before Sydney so that he might not suffer from misrepresentation. In a P. S. of the 18th he asks that letters sent to Mrs. Hope be forwarded to her brother if she has sailed; that Skene had arrived in Canada and that Dunn and his family were sailing in the vessel that carries this letter. The good opinion of Dunn is universal in Canada. 1

There are enclosed copies of representations touching corvee, with remarks and correspondence referred to in Q. 24-2. 4 to 14

June 23, Quebec. Hamilton to Sydney. Has received letter by Davison. Has received with due submission the remarks on the differences of opinion between him (Hamilton) and Haldimand; will give all possible attention to the instructions sent. All the petitions sent were presented by the inhabitants with decency and unattended by violence or tumult. The best intelligence exists among himself, St. Leger and Hope, though they differ in opinion. The contentment of the clergy, the mercantile classes and the loyalists. "How small, then, must be the number of dissatisfied persons." When a duly qualified chief justice is sent out and when the instruction of the rising generation shall be in proper hands, discontented people will not be countenanced. The low state of Bishop Briand's health. His Majesty's pleasure has been communicated to Mgr. Montgolfier. Remarks on a statement that efforts were made to lead the clergy to suspect hostile designs on the part of Government. Has informed St. Leger of the instructions respecting the Indians. 22

June 23, Quebec. Hamilton to Townshend. Act respecting trade between the United States and Newfouudland received. 26

June 24, Quebec. Sir John Johnson to Sydney. Acknowledging the receipt of certain documents delivered by Alexander Davison. 27

June 26, Quebec. Hope to Nepean. By the arrival of Alexander Davison word has been received of a contract for provisions having been entered into, but no preparations made for shipping them till 1st September, and only for 3,500 persons, whilst the number of loyalists alone who are to be victualled till June, 1786, is 5,576, not to speak of additions. How are the additional supplies to be provided, and forwarded to the upper posts? The necessity of sending information without waiting to communicate with St. Leger, as the delay would have the most serious consequences.

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Had written by Captain Nicholas, and would continue to send information which seems to be desired. Page 29

July 7, Quebec. Minutes of Council. (See Q. 24-2, p. 483.) 67

July 8, Quebec. Hamilton to Sydney. Sends letter, &c., from Hay, Detroit. (Duplicate of letter in Q. 24-2, p. 466, followed by articles of agreement between the United States and Indians, p. 472, and report of Council held at Wakitumekee, 18th May, 1785, p. 478, also letter from McKee to Sir John Johnson, 29th May, p. 469.) 45-48-55-59

July 11, Montreal. St. Leger to Sydney. Sends letters from McKee. Copies of report of Council, of information by Girty, &c., which would indicate that an open rupture between the Indians and the United States is unavoidable. Asks for instructions as to the conduct to be followed should the Indians ask for assistance. The conduct of the American commissioners has been most impolitic and must be of the most serious nature to them. 77

Duplicates (not copied here) follow.

July 16, Detroit. Representations of traders at Detroit respecting the transport of goods. 128

July 16, Detroit. Governor Hay to Hamilton supporting the prayer of the memorial from the traders at Detroit. 132

July 21, Quebec. Hamilton to St. Leger. Sends memorial from merchants trading to the upper posts; with minutes of Council, believing that he will give the mercantile community all the aid possible in the transport of their goods. 104

July 8, 15, 20 and 21, Quebec. Minutes of the Council of State on the application of the merchants trading to the upper posts, giving the opinions of the members of Council. 93

July 23, Quebec. Hamilton to St. Leger. Further respecting the application of merchants for transport to the upper posts. The difficulties; information to be obtained to be forwarded to the Ministry. 106

July 24, Quebec. Same to Sydney. Sends a memorial and gives his reasons for the application for compensation. 86

July 25, Montreal. St. Leger to the same Had relaxed the regulations so far as to allow of private bateaux and canoes being employed in transporting goods on the lakes. Has received a second memorial for leave to navigate in vessels, which he has not complied with, but submits for decision. 156

Answer by St. Leger of same date to the memorial of the merchants of Montreal, trading to the upper posts, in the terms indicated in his letter to Sydney. 159

July 30, Quebec. Hamilton to Sydney. Sends memorials from merchants in Montreal trading to the upper country. The Minutes of Council and letters to St. Leger will show what has been done. Isaac Todd, one of the merchants, who is now in London, can furnish satisfactory answers. 88

The memorial from the merchants. 89

July 31, Carlisle. Message, signed by R. Clark and Richard Butler, addressed to the Upper Chippawa and Ottawa Nations to meet in Council on the 1st of October next at the mouth of the Miami River. 205

A similar message to the Wiandots, dated at Carlisle the 3rd August. 207

August 1, London. Haldimand to Sydney. Desires to know the latest day to which the Quebec mail will be detained as he has to transmit commissions and other papers in the suits of Du Calvet and Hay. The disposition shown by some whose duty should dictate different conduct to abet the conduct of Du Calvet, &c. 32

August 1, Montreal. James McGill to Hamilton. The probability of the trade to Detroit falling into the hands of the Americans were private vessels allowed on the lakes. The extent of the upper country trade described, its value is

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£180,000, of which £100,000 value is from the country now within the United States and the £80,000 within the Canadian line. The question now is whether the interference with each other's trade will arise most from the Americans or from the British after the posts are given up. His reason for believing that it will be a long time before the Americans can enter with advantage into this trade. It is of no great consequence whether the Grand Portage is within the American lines or not, as a new road to the North-West has been discovered by Lake Nipigon, which was gone over last winter. How business can be done within the American lines, whatever means may be taken by the Americans to exclude British subjects. All Government can do is to give convenience to the trade and to allow the merchants to have small decked vessels of their own, so that they may have their goods in the market in June or July and those from England the same season. These measures are for the future, but the trade during the present season is greatly hindered, of which details are given. The merit of discovering the new route to the North-West belongs to Benjamin and Joseph Frobisher, directors of an extensive trade to that country. Page 111

August 2 & 3, Niagara. Report by Dease of a Council held with the Indians on the 2nd August at which the Western Indians asked the Six Nations to unite with them to defend their country against the attacks of the United States. On the 3rd the Six Nations addressed Dease, repudiating the action taken by their representatives at Fort Stanwix last year, especially in giving up to the United States the land about Niagara, which the chiefs cannot consider as of any effect. Dease answered advising them not to act precipitately, but to state to Congress fairly their position and claims. 136

August 5, London. Notes for an answer to be made by Nepean to Hope. The allowance to loyalists. Contracts have been made on this scale for 5,400 men and 1,050 children from 1st September next to 1st June, 1786. The contract for the 3,500 troops is a separate one. 33

August 6, Niagara. Major Campbell to St. Leger. Sends copy of the proceedings of a council between the Six Nations and the Western Confederacy. The idea of having so many savages prepared for war in the neighbourhood of the post is not pleasing; had tried to keep them as far from Niagara as possible. Buffalo was thought of, but the Six Nations believe Niagara to be their fireplace, and they were prevailed on to meet at the landing. They show every appearance of a steady attachment. 147

August 8, Montreal. St. Leger to Nepean. The arrival of implements for the loyalist settlers and presents for the Indians. Sends report of survey. The broad axes are the only articles not well manufactured; the Indian goods are superior in quality to those previously sent. 80

Certificates, two by Richard Dobie and Robert Griffin, the other by James Stanley Goddard, that the goods referred to in St. Leger's letter have been surveyed and found in good order and of good quality. 81-83-85

August 8, Montreal. James McGill to Hamilton. Gives details of the delays in the transport of goods to the upper country. He, at least, is free of blame in the matter. 118

August 8, Montreal. Bejamin Frobisher to Finlay. Sends memorial to be presented to the Lieutenant Governor, respecting the transport of goods to the upper country. The expense of conveyance by canoes; the hardships caused by the prohibition to have private vessels to navigate the lakes. Enters into details of the difficulties and delays experienced in being compelled to ship only in the King's vessels. 119

The memorial on the subject of transport on the lakes. 122

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August 11, Quebec. Hamilton to St. Leger. Sends copy of the memorial from the merchants. Nothing can be done till orders are received from the Minister. The request for the use of the "Beaver" seems reasonable. Page 125

August 12, Quebec. Hamilton to Sydney. Respecting the application of the merchants concerning transport to the upper posts. The necessity of a new survey of the St. Lawrence. 109

August 13, Whitehall. Sydney to Hamilton. The King has no further need of his services; he is to return to England, to leave with Hope, who succeeds him, all instructions and other documents. 34

August 15, Montreal. St. Leger to the same. Has received copy of memorial from the merchants, but had already written Lord Sydney on the subject. Sends speech delivered to Dease at Niagara. The Six Nations have nothing to do but sit quiet till the arrival of their superintendent. Hopes this bustle between them and the Americans is not due to Joseph Brant's politics. 134

August 17, Quebec. Hamilton to Sydney. Sends documents relative to the navigation of the lakes for the transport of goods to the upper country, and to Indian affairs. 126

August 17, Quebec. Same to Dease. Has received copies of the speeches at Niagara, which he shall transmit to Lord Sydney. Approves of his temperate answer to the Six Nations. 145

August 20, Whitehall. Sydney to Hope. He is to succeed Hamilton. The commission is sent. The appointment is made from the King's opinion of his zeal, temper and discretion, and to put an end to party spirit. There is not time fully to consider several important matters before the vessel sails, but they will be immediately attended to, and instructions on these and other subjects sent. General rules for his conduct. 35

August 20, Whitehall. Same to same. A friendly letter, urging him to use every means to put an end to cabals and party spirit in the Province. 37

August 22, Whitehall. Same to same. That loyalists who have settled on private lands are to have an equal share of the royal bounty with those who have settled on lands belonging to the Crown. The care to be exercised in respect to those persons who have lately come into the Province, that only those deserving may obtain assistance. Others who have removed from the United States on account of interested motives should not be partakers of the rewards to which persons who have proved their loyalty are entitled. 39

August 23, Whitehall. Same to same. Respecting the claims of Pierre Roubaud, a Jesuit priest, for a pension agreed in 1764 to be paid him from the revenues of the Jesuits, but which had been refused, though ordered more than once to be paid. He is to inquire into the financial state of the college, and strongly recommends the payment of Roubaud's annuity. Cannot form any opinion as to the payment of arrears claimed by Roubaud; but they should be paid if the college is in a position to do so. Sends documents relating to the case. 42

August 27, Quebec. Hamilton to Nepean. Asks his good offices on behalf of the family of Hay, Lieutenant Governor of Detroit, who is dead. He was from circumstances unable to provide for his family. Urges that a provision be made for the widow and daughters. 149

August 29, Quebec. Same to Sydney. Is apprehensive that the Indians on the American frontier cannot be restrained from hostilities, notwithstanding the care of Sir John Johnson's agents. What ammunition the Indians are possessed of. Death of Hay, his good services. A person of influence with the Indians should succeed him. Would recommend McKee for reasons given, but has consulted Hope and will await the arrival of Sir John Johnson. Repeats his commendation of McKee. Has sent orders

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to the agents to send information on Indian proceedings. Recommends the case of Mrs. Hay. Page 151

September 1, Montreal. Hamilton to Nepean. Had written to Sydney on the death of Hay, and respecting a successor. Hope has shown him the letter written to Lord Sydney on the latter subject, in which he states his difference of opinion from him (Hamilton) as to the qualifications of McKee. If it is determined to fill the offices with military officers he has nothing to say, but with regard to Detroit it is a disadvantage to have a quick succession of commanders. If McKee has not had a military education he has acted with approbation in a military capacity, and the chances of an Indian war render it necessary to have a person of cool, moderate views and experience. Respecting the placing of buoys as recommended by Captain Schanks. 161

September 5, London. Haldimand to Sydney (in French). Calls attention to the loss of emoluments by the change of the Government of Quebec, by which he loses the allowance of Lieutenant General on the staff. Asks that the case be laid before the King. 44

September 5, Detroit. McKee to Dease. A council of Indians called in the neighbourhood to meet this fall. It is reported that the Indians have received assurances from the Americans that they have recalled people improving lands on this side of the Ohio and will not permit settlements in the Indian country without the consent of the Indians. This may put a stop to hostilities, although the Cherokees seem to be actuated by a desire for plunder. The Shawanese who released Colonel Lewis are returned; they were warned to attend a meeting at Canawha. Respecting provisions now on the way from Fort Pitt. The late arrival of Sir John Johnson causes anxiety to the Indians. Various tribes (named) are come to settle among the Western Indians. 186

September 6, Sandusky. Captain Caldwell to Major Ancrum, Detroit (extract). That two days before he arrived at the lower town, the messengers from Congress had arrived to call a council at the Miamis. Since Clark's arrival, recruiting parties are out in all directions. The messengers told the Indians that Detroit was to be taken by force and that they are raising 1,500 men for that service. They mean to attack Detroit this fall or in Spring, and in the meantime will take hostages to keep the Indians quiet who do not wish to join them, and if encouraged would do something against them. Is going to Shawanese towns. Hopes soon to hear, as the Indians are anxious for word from Sir John Johnson; they propose shortly to hold a council. 212

September 14, Quebec. Hamilton to Commodore Sawyer. Sends memorial of merchants for protection to the fisheries and requests him to communicate with Lord Sydney on the subject. 180

September 14, Niagara. Dease to Hamilton. Thanks for approbation of his conduct. The Indians, on his advice, have sent a message to Congress that they will meet Major Schuyler and Colonel Monro at Buffalo Creek. His critical situation; will use the utmost discretion. Sends letter from McKee at Detroit. Has learned that the Americans are building three picketed forts near Tioga on the Susquehanna. The settlement on the Grand River contains now 1,000 souls; there would have been as many more, but he was unwilling to increase the expenditure for provisions. The Senecas intend to remove to Long Point on the north shore of Lake Erie, should the Americans take possession of their land. Necessity for regulating the Indian trade, as every idle fellow now begins Indian trader. 183

September 20, Detroit. Message to the Americans, decided on at a meeting held on this date, that since the business done at Forts Stanwix and McIntosh has not yet had time to be communicated to all the tribes and the issue determined

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on, the council called at the mouth of the Miami River for the 1st of October cannot be held; when affairs are settled the time and place of the meeting shall be announced. The Indians are surprised that the United States messengers, although within sight of the council fire, had turned aside to avoid it. This is followed by a message to the "Half King" and another to "the several nations south side of the lake," sending the terms of their message to the United States. Page 209

September 20, Kisapoo. Chiefs of the Shawanese, Mingoes and Delawares to McKee. That they had obeyed the advice of the Six Nations not to go to the council called by the Americans, but to return a good answer. They are invited to another council, but will not go, whatever the consequences. They would allow the Americans to be the aggressors, as advised, but they (the British) must be strong to defend them. They (the Indians) mean to defend their lands to the last man, and will spare none if the Americans begin. The Indians about Detroit to be informed of their determination and to tell them to be strong. 235

September 22, Foot of the Rapids. Alex. McCormick to McKee. Has returned from Beaver Creek. Three astronomers were running the line between Pennsylvania and Virginia. Hutchins at Fort Pitt, to run the line between the United States and the Indians. A message is to be sent to the Wyandots to attend the running of the line. 214

September 25, Quebec. Nicholas Cox, Lieutenant Governor of Gaspé, to Hamilton. Sets forth the utility of a Provincial vessel of 100 tons burthen, armed and carrying 30 men, visiting the fishing and trading posts from Restigouche and Mount Lewis, on the southern side of his district in the river and Gulph of St. Lawrence, and on the north from St. John's River along the Labrador shore, to settle boundaries of fishing posts, and prevent American interlopers and smugglers. 178

September 26, Quebec. Hamilton to Sydney. That a considerable quantity of timber lying here had been ordered to be sent to Gibraltar, but nothing had been done towards it. Sends memorial from the merchants to allow part of it to be used for another purpose. The conduct of the memorialists in respect to the Stamp Act and in the defence of the Province seems to give them a claim to consideration. 164

The memorial, dated 7th September (enclosed), prays for the grant of a part of the timber, to build a bridge over the St. Charles River. 166

September 26, Quebec. Hamilton to Sydney. Encloses memorial praying that vessels of war be stationed in the Gulph for the protection of trade and the security of those engaged in the fisheries, and recommending that the petition be granted. 169

The memorial is endorsed: "Memorial of Messrs. Grant, Stuart, Lymburner and several other principal merchants in Quebec, setting forth the abuses committed in the Gulph and in the harbours in the River St. Lawrence by subjects of the United States." 170

Affidavit (in French) in support of the memorial, by Isaac Dagory, that two armed vessels belonging to the United States had forcibly taken possession of the salmon fishing, at the River Ouiachacoute, and that he was informed schooners had been fishing in other rivers. 173

Similar affidavits from Barthelemy Hervieux (in French) and John Ross (in English). 175, 177

September 28, Quebec. Hamilton to Sydney. Sends papers, just received, respecting Indian affairs. 182

(Letters from Dease of 16th and of McKee of 5th September (enclosed) calendared at the proper dates.)

October 4, Niagara. Major Campbell to St. Leger. With copies of the proclamation to settlers and messages to the Indians sent by Congress. The messengers sent by Congress were met near the Miamis village on their way to Post Vin-

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cent, St. Joseph's and the Illinois country to invite the Indians to a council. One of the messengers was Rankin, of Detroit, who had been under the protection of the British during the war. The messengers said it was too late to attack Detroit this fall, but that it would certainly be attacked in Spring. Page 215

October 5, Niagara. Campbell to St. Leger. The persons sent to Tioga report all quiet, and he could discover no ground for the report made by the Indians to Jervos, that American armies are assembling there. People are settling on the upper branches of the Susquehanna near Tioga, of whom the Indians are very jealous, considering it an encroachment. 217

October 11, Montreal. St. Leger to Sydney. That after vainly waiting for explicit information as to the giving up of his command, he had determined, owing to the late season and his continued ill-health to transfer it to Hope, the next officer in succession, who thereby becomes a Brigadier-General on the Canadian establishment. 190

October 12, Montreal. Hope to Sydney (No. 1). That the command of the forces had devolved on him. Report on the Indians similar to that in Hamilton's letter of the 15th. Intends going to Quebec in a few days. 197

October 15, Quebec. Hamilton to the same. Encloses petition respecting a bridge over the St. Charles. The Indians have recovered from their alarm at the coming of Americans to settle on the forks of the Susquehanna. All is quiet the Indians being determined to follow the advice of Dease. Owing to the non arrival of Sir John Johnson, he will do nothing about McKee's appointment till the arrival of the packet. 192

The petition for the bridge, dated 1st, 9th and 10th September. 193

October 21, Quebec. Hope to Sydney (No. 2). Had received dispatches on his return from Montreal, signifying his appointment to be Brigadier General on the staff of Canada and Lieutenant Governor of the Province of Quebec. Has only time to acknowledge the receipt of dispatches and his grateful sense of the honour done him. 199

October 24, Quebec. Same to same (No. 3). Sends papers to show the state of affairs in the Indian country. The fidelity, temper and disposition of the Indians which Sir John Johnson must continue to improve on his arrival. 201

(Eight enclosures relative to Indian affairs calendared at their respective dates.)

October 25, Quebec. Hamilton to Sydney. Shall leave for England as ordered, sailing on the 2nd November. Should the public accounts not be closed to-day, shall send them by the earliest opportunity. Accounts noted which are not yet ready. Will leave all instructions, &c., with Hope. 188

October 28, Quebec. Hope to the same. Expresses his grateful thanks for His Lordship's kindness. Had hoped to be able to thank His Lordship personally, but it being thought best he should remain for the Winter, hopes he may obtain leave of absence next summer. 218

November 2, Quebec. Same to same (No. 4). Had acknowledged receipt of the commission of Lieutenant Governor; was this day sworn in, had delayed this to allow Hamilton to finish business of various kinds. Reminds His Lordship of the causes which led the old subjects to oppose the Act regulating the Province of Quebec. The same persons now renew petitions against the present constitution of the Province, being actuated by party spirit and faction without regard to the public interest. It shall be his study to check this spirit and to bring back His Majesty's subjects to a sense of duty. Party spirit has made little progress among the Canadians in general. Those who have joined in the petitions are mostly small shop keepers and traders and, with few exceptions, not respectable in character. The noblesse, landed proprietors and secular clergy are aware of the advantages the Act gives them. The influence of the regulars, namely, the Seminaries of Quebec and Montreal and other religious

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communities, made some respectable Canadians join in the mission of Adhemar and Delisle, in consequence of the expulsion of two priests sent out by the Seminary at Paris, but as soon as they discovered that this was turned to political purposes, they showed by their petition to the King their disapprobation of a House of Assembly. The general officers who have been in command since the Conquest (Gage, Murray, Carleton and Haldimand) are competent to judge of the best system to preserve the country, but he suggests that power be given to appoint more than six Canadian Catholics to seats in the Council for reasons given. Suggests also the raising of a corps officered by Canadians as a measure to attach them to Government. The desire of the loyalists settled between Cataraqui and Montreal for a system different from that in the other parts of the Province may lead to embarrassment, but he does not think it demands immediate settlement. Page 220

November 3, Quebec. Hope to Sydney (No. 5). The arrangements which he has made in the absence of instructions for carrying on the duties of the Quartermaster General, Barrack and Marine Departments. Captain Barnes, of the Royal Artillery, has been appointed senior, with Wood and Genevay as his deputies. The advantages of the arrangement. Should it be thought better to appoint a Deputy Barrack Master General, to take charge specially of that department, recommends Wood for the office, filling up the office of Assistant Quartermaster General with such person as he may be able to select. 225

Tables showing Haldimand's arrangement and that now proposed. 229

Hope to Sydney. (No. 6). That until definite instructions are given on the subject, suggests that Major Ancrum continue in command at Detroit. Should the office of Lieutenant-Governor be renewed, recommends Captain William Dunbar of the 84th, or in event of insurmountable obstacles to that appointment, Lieut.-Colonel Claus, brother-in-law to Sir John Johnson. 230

November 3, Quebec. Same to same (No. 7). Sends messages from the Shawanese and Delawares sent to McKee and forwarded by Major Campbell. These show the disposition of the Indians; asks instructions as to the course to be followed in event of hostilities. If it be determined to hold the posts the force in Canada is very inadequate to the purpose; renews his proposal to raise two Canadian corps of 500 men each. Asks for two more regiments, especially in view of an anticipated rupture with France and Spain, and that an attempt against the West Indies should be thought advisable. A force for this purpose he conceives would be conveniently drawn from Canada and Nova Scotia. 232

(The address of the Indians to McKee of 20th September is calendared at that date.)

November 3, Quebec. Hope to Sydney (No. 8). That although his rank as Brigadier General does not entitle him to an aide-de-camp yet, as commander-in-chief and at the head of the civil government, he cannot carry on the service without such officers; he has therefore, named Captain Close of the 65th Regiment, and Lieut. Deschambault of the 44th (a Canadian) to be his aides-de-camp, and trusts they may draw the usual pay. 237

November 5, Quebec. Same to same (No. 9). Captain Barnes and Mr. DeLancy, after inspection, report the loyalists highly satisfied with their prospects. The improvements are rapid and promise permanent prosperity, but these prospects will be obscured, if the time for the allowance of provisions be not extended beyond the 1st of June, 1786, when it is to cease, which would leave them destitute till the crop is harvested, and compel many of them to leave the land to their utter ruin. 238

1785.
December 19, London. Dr. Morice to Nepean. Notes respecting missionaries for Canada; he is preparing a paper for the information of the archbishop, after which he would write again. Page 245

MISCELLANEOUS PAPERS DURING THE GOVERNMENT OF BRIG. GEN. HOPE, 1786.

Q. 26—1.

1785.
May 7, Halifax. Governor Parr to Nepean (extract). Is fitting out the "Greyhound" to go in her to Shelburne, where the Rev. Mr. Walter and one Ross, a Scotchman, have lately disturbed the peace, by the demands of the former to be inducted into three parishes without asking permission. Has represented the whole to the Society for the Propagation of the Gospel; let the Society settle the matter between him (Walter) and the Rev. Mr. Pantin. The characters of Walter and Ross. The settlement was all peace and harmony till their arrival. 64

November 14, Quebec. Hope to Sydney (No. 10). Dispatches received, to which he would give attention. In addition to the statement of the feelings of the Canadians on his appointment, he encloses an address, signed by the most respectable inhabitants; it is an indication of a reunion of opinion among them. Where the interference of France is not in question, or that their religious prejudices are not shocked, His Majesty has not more contented subjects, when they have not been poisoned by ideas their minds are not calculated to receive. He will endeavour to prevent any interruption to this contentment. 13

The address (in French) referred to in the letter. 16

The answer. 19

November 16, Detroit. McKee to Sir John Johnson. Simon Girty has returned, and states that the report that the United States were raising large bodies of troops was incorrect. The commissioners are at the mouth of the Big Miami, waiting to treat with the Indians; they are attended by about 70 men, and are authorised to raise the militia of Kentucky, if needed. The answer sent to the commissioners shows that the Indians will not attend till they are in a position to treat on equal terms. The Half King of the Hurons has gone to the meeting to put off matters till next year. 26

The message to the commissioners from the United States, of the character given in McKee's letter. 28

November 17, Halifax. The Commissioners on loyalist claims (Dundas and Pemberton) to Sydney, stating their arrival, and the manner in which they intend to proceed in the prosecution of their duties. 104

Notice of their appointment and its purpose, as defined in the Act of Parliament. 110

December 14, Montreal. Sir John Johnson to Nepean. Sends from McKee copy of a speech showing the firmness of the Indians. He has advised them to act with caution and prudence and to avoid hostilities as long as possible, assuring them of His Majesty's attention to supply their wants and to promote their re-establishment within his dominions. Urges that the business of Colonel (Guy) Johnson and the two deputies may be hastened, as their services are required. 24

(McKee's letter to Sir John calendared at its date, 16th November).

December 15, Montreal. ——— to Claus. He was no doubt surprised to see Joseph in London. Has doubts of the fidelity of Joseph, Aaron and some others of the Mohawks; to keep them dependent on the Crown as long as possible, as delay in payment will be a restraint to their going to the

1785.

other side. Had had some conversation with Joseph in referen
correspondence with Monroe, a member of Congress, and had
Joseph's answer, copy of which was sent to Sir John Johnso
could divine Joseph's intentions, and that he did not wish to
freely till the Indians had their claims settled; he has ambitiou
which must be curbed. (Monroe's letter is in Q 24—1, p. 227.)

1786. January 4, London.

Joseph Brant (Thayendenega) to Sydney, delivered in the p
of Colonels Johnson, Butler and Claus, Captain Houghton a
Chew. States the faithful part the Six Nations had taken duri
late dispute with the Americans; on the conclusion of peace the
application to Haldimand to know their situation, and their as
ment in hearing they were forgotten in the treaty, but could
lieve it possible. They still remain in suspense and uncertainty
trouble is increased by the Americans, to whom no answer ha
made, and believing they would receive definite information
arrival of Sir John Johnson, they were correspondingly disappoi
not hearing, and it was, therefore, determined to send him (Br
England for an answer. The Americans are violating the treat
at Fort Stanwix in 1768, and encroaching on their lands, observ
engagements. Should serious consequences result, he desires t
if the Indians may count on the King's support.

A translation of the speech to Haldimand, delivered by Joseph
on the 21st of May, 1783, on behalf of the whole Indian Confe
was handed in.

Also an address respecting the compensation to make good th
suffered by the Indians, and to enable them to stock their farms
new settlement.

January 21, Quebec.

Proclamation by Henry Hope, to make public the notice fr
Commissioners to loyalists having claims.

January 29, Quebec.

Hope to the Commissioners on Claims. Had only received
20th their despatch sent on the 17th November last. His
facilitate their measures. His proclamation for claims to be in
1st of May. Has directed the attention of the officers who
over the affairs of the loyalists to the measures to be adopted
lecting the claims, so as to enable them to be transmitted, but
out that the claimants cannot attend in person. The heads of f
are thus distributed: Near Niagara and Detroit, 300; from Joh
to Cataraqui and its vicinity, 1,800; about Sorel and in all
Canada, 200; Bay of Chaleurs and Gaspé, 200; total, 2,500. It
possible this season to send word to Niagara of their arrival. I
be better for the loyalists to abandon all hope of relief than to
prove their losses at such a distance. Urges the Commissioners t
to the Province, for reasons given.

February 1, London.

Reverend Charles Mongan to Nepean. Had called on Dr.
with whom and several other members of the Society (for the P
tion of the Gospel) he had several conversations. The necessity
ing suitable ministers to Canada to the principal towns. Send
cription of the ministers now there. The Society will do what it c
it lies with Government to make the necessary arrangements
credit and welfare of the Church of England in Canada.

February 4, London.

Extract from a paper on "The present state of the Church of E
and its Clergy in Canada." At Quebec the only clergyman is a v
Swede, who cannot speak a word of plain English. At Montr
case is the same. At Three Rivers the situation may be called sha
the conduct of the clergyman would disgrace the meanest prof
He speaks English worse, if possible, than the others, and was e
for some flagitious acts from a community of friars.

1786.

February 4, London. Claus to Nepean. Sends extract from a letter of a correspondent (name not given) respecting the state of feeling among the Indians and the policy to be adopted. Had lent A. Davison a journal of proceedings during the late war. If left with him (Nepean), asks for its return. Page 30

(The letter is dated 15th December; the extract is calendared at that date.)

February 8, London. Merchants trading to Quebec desire to wait on Lord Sydney respecting the proposed regulations for the Province. 33

The regulations proposed are:

1. *Laws, Constitution and House of Assembly.* The establishment of British law and of a House of Representatives.

2. *Vermont.* Free access given to that State for imports and exports by the St. Lawrence.

3. *Newfoundland and the Corn Trade.* That Canada may have the privilege to supply the Newfoundland fisheries with flour and biscuits, to the exclusion of the American independent States.

4. *Fishery.* For a bounty to countervail that given by France.

5. *Wine, Fruit and Olive Oil.* The direct importation of these articles to Newfoundland from the places of production.

6. *Bounties on Oak Timber, Staves and other Lumber.*

7. *Hemp.* A bounty to promote its cultivation.

Liberty is also asked to build and navigate private vessels for the transport of goods on the lakes. 34

Letters from the committees of Quebec and Montreal were transmitted with the resolutions and in support of them. These letters are dated on the 2nd and 9th of November, 1785. 42-52

February 1, London. Report on the state of the clergy of the Church of England in Canada. (An extract is at page 22 of this volume, the continuation given here. It is marked as received on the 2nd of March). 59

February 10, Quebec. Hope to Sydney (No. 11). Has not written since the 14th November, as he considered the conveyance of public letters by way of New York to be unsafe. Had formerly sent an address from the inhabitants, showing their satisfaction; sends another which confirms this. 92

Address. 94

Answer. (Both are in French). 95

February 10, Quebec. Hope to Sydney (No. 12). Had received orders to prevent the importation by land or inland navigation of such goods as were prohibited to be imported by sea from the United States, and also to prevent the export of peltry to the same. Had laid the orders before Council, with a suggestion that the consideration of them should be continued beyond the session, to prevent the serious inconvenience that might arise by their immediate enforcement, for reasons given. 97

February 10, Quebec. Same to same (No. 13). Orders respecting regulations for the use of the ungranted part of the beach on the Bay of Chaleurs received too late to have a proper investigation made, so as to frame suitable regulations. Steps shall be taken on the first opening of communication to carry out the orders. 99

February 10, Quebec. Same to the same (No. 14). Had received notice of the appointment of commissioners to investigate the claims of loyalists; their arrival at Halifax; he will do all he can to assist them in the discharge of their duty. Send papers relating to the investigation. 101

(Papers enclosed are calendared at their proper dates, 17th November, 1785, 21st and 29th January, 1786. The notice giving the terms of the Act of Parliament, under which the commissioners were appointed, accompanies their letter of the 17th November.)

1786.

February 10, Quebec. Hope to Sydney. (No. 15). That he had forwarded to the Jesuit College the orders received to recommend the payment of Roubaud's annuity and arrears. Sends copy of letter and of representation returned by the Jesuits, which seems reasonable. Is taking measures to ascertain the financial state of the college. Page 120

Enclosed. Letter from Hope to the Jesuits of 30th January (in French). 122

Statement of the case as between Roubaud and the Jesuits, dated 8th February (in French). 124

February 20, London. Carleton. Memorandum on the proportion of population between the United States and Canada; the good policy of removing every grievance or burden unasked, so as to make any change of allegiance on the part of the people undesirable; the proper military system to be adopted to meet the disadvantage of a long unprotected frontier. 53

February 25, Quebec. Hope to Sydney (No. 16). The last dispatches sent to the care of the Consul at New York. Sends minutes of the Council; with remarks on the course followed. 134

Journals from 6th to 20th February. 136 to 149

February 25, Quebec. Hope to Sydney (No. 17). Sends minutes of the Council of State. Calls attentions to the heated discussion on the settlement of accounts contracted during his predecessor's time and to his remarks contained in paper A. The discussions are to be lamented, but he believes they will cease when the accounts are closed. 150

Minutes of the Council on State business, between the 1st of November, 1785, and 22nd February, 1786. The minutes deal, to a large extent, with the St. Paul's Bay disorder, the claims of Dr. Bowman and the settlement of his accounts, &c. 152 to 212

Followed by Lieutenant Governor Hope's reasons for his opinion given in Council on the consideration of Dr. Bowman's claim. 213

February 25, Quebec. Hope to Sydney (No. 18). Actions have been taken, as ordered, for the collection of mutation fines and arrears. These have never been regularly insisted on since the Conquest; a petition is sent for their remission. The distress the collection would cause in many cases, the arrears arising from remissness in collecting. Is anxious for an early answer, so as to put the collection on a well regulated footing. Has not stopped proceedings in actions depending, in case of raising doubts as to the right to collect, but has ordered the Receiver-General to raise no new actions. 219

Petitions referred to, with Hope's answer. 222, 227, 233, 235

February 25, Quebec. Hope to Sydney (No. 19). That orders have been received by the officers of ordnance how to dispose of the timber belonging to Government. Calls attention to the demand formerly made for a bridge over the St. Charles and recommends that it be granted. 237

March 6, Quebec. Same to the same (No. 20). Sends extract from the *Papier Terrier*, showing the state of the finances of the Jesuits in Canada. 239

Abstract of the fiefs and seigniories of the Jesuits, distinguishing the different classes of revenue. 240*a*

March 8, London. Haldimand to Nepean. That the document (state of religion) is in some parts consistent with truth, but highly exaggerated. No such unhappy political consequences had followed as were reported, the so-called "New England emissaries" being loyalist clergymen driven from their possessions. Mr. Stuart is distinguished for his active, useful exertions in the royal cause, the other two were indigent and not in the least dangerous. 62

March 17, London. John Butler to the same. Sends estimate, of this date, signed by himself and Claus, of what would be sufficient to satisfy the Six Nations for their losses. 66

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The estimate. Page 67

In a note to the letter, Sir Guy Carleton thinks the compensation should be doubled.

March 18, London. Dr. Morice to Nepean. It is the wish of the Society (for the Propagation of the Gospel) that Rev. John Stuart and Mr. John Doty should have some allowance from Government in addition to their salaries from the Society. 70

April 5, London. Joseph Brant to the same. Is sorry he spoke of the half pay; it was only because he had been promised it without solicitation. He entered into the war purely from regard to the engagements between his forefathers and the King; these he held sacred. Had received pay and a commission during the war; should there be doubts about the half-pay, he would rather not accept it. 71

April 6, London. Sydney to Brant. That were the principle of compensation to private individuals during a war, to be established, no country, however opulent, could bear the burden, and on this ground, His Majesty might withhold his concurrence to the demand for the liquidation of the Indian claims, but, in consideration of their services, he will consent that the losses already certified by the Superintendent General be made good, and that Carleton shall take measures to liquidate the claims after his arrival at Quebec. His Majesty trusts that this will show the Indians his regard for their future welfare, and he recommends them to remain united. 80

April 6, Whitehall. Same to Hope. The uncertainty of conveyance had caused delay in answering his dispatches, of which His Majesty highly approves. The arrival of Joseph Brant, with a representation of the losses sustained by the Indians during the war, and also with a desire to know how far they would be supported in event of disputes with America. The first, he thinks, has been concluded in a manner that will be satisfactory to the Indians. Their claims amount to £15,000 for losses. Although it is not considered that they are more entitled than others, Joseph and his sister have been paid enough to carry out merchandise, and a favourable consideration will be given to other claims. It is not expected that disputes will, in the meantime, arise, but if they should, the situation would be embarrassing. To afford them open assistance must be avoided, yet it would not be consistent with justice to leave them to the mercy of the Americans. No direct line of conduct can be prescribed; much must depend on circumstances. The enclosed letter, addressed to Brant, will show the extent of the engagements entered into by the Ministry. Notwithstanding the attempts to raise discontent in Quebec against the present constitution of the Colony, no change will be made until after Carleton's report is received, should it be clearly ascertained that a change is necessary. His Majesty desires to show every confidence in his Canadian subjects, and will consider the proposal of increasing their number in the Council, which had, indeed, been already under consideration. The flourishing state of the settlements is satisfactory. The Treasury will, no doubt, send additional supplies. Cannot send an increase to the troops. The office of Lieutenant Governor of Detroit will not be filled up whilst the post is under the command of Major Ancrum. Although the increase in the Quartermaster General, Barrack and Marine departments should not have been made without the concurrence of the Ministry, yet it will be sanctioned; the appointment of aides-de-camp, however, must be refused, as such an innovation would introduce jealousy and confusion. 73

April 6, Whitehall. Same to the same. After the approbation by the King of his conduct as Lieutenant Governor, it cannot be supposed that any change in respect to his situation is a reflection on his character. It had been

1786.

determined before his appointment to name a Governor General, and Sir Guy Carleton has been fixed on for the office. To invest him with full authority, the powers of the Governors of Quebec, Nova Scotia and New Brunswick have been reduced and they are to be styled Lieutenant Governors, but leaving their emoluments as before. The choice of the Lieutenant Governorship of Quebec or New Brunswick is to be left to Colonel (Thomas) Carleton. Should he prefer to remain in New Brunswick he (Hope) will be continued in Quebec, if otherwise, he will be transferred to New Brunswick. Shall defer further proceedings till he learn his (Hope's) sentiments. Page 82

April 8, Whitehall. Nepean (?) to Hope. That Colonel Carleton had been unwilling to accept the Lieutenant Governorship of New Brunswick, but accepted on being told that should a change take place, he would be sent to Quebec. The surprise of Lord Sydney at his (Hope's) apparent unwillingness to go to New Brunswick, after the urgency of his friends to get it for him. The probability of his being put on the American staff. He must abandon the idea of succeeding General Rainsford in command of his regiment; there are too many other officers with prior claims. 84

April 11, The Downs. Joseph Brant to Nepean. Is gratified at receiving letter from Lord Sydney, as it would show all the confederated Indian nations Great Britain's friendship for them, but he would prefer to contradict the report that their lands and country had been given to the Americans, and hopes that a message to satisfy them will be sent out with Sir Guy Carleton. Sends thanks for the compensation given to the Indians for their losses. Suggests that he (Nepean) may take a journey to Canada to see things for himself. 87

April 15, Quebec. Hope to Sydney (No. 21). Hopes that his late letters have now been received. Everything has remained quiet in the lower part of the Province since then, and he presumes that the same is the case in the upper country. The Americans were, however, reported to be raising a body of 800 men, avowedly for the western country, but he believes for the defence of their frontiers against attacks by the Western Indians. Whatever the object, the officers commanding the posts are on their guard. Reports the death of Gugy and recommends that Mr. John Craigie succeed him in the Council. Is anxious for news, the last received being by the December packet to New York. 241

April 16. Quebec. Same to the same (No. 22). Sends application from Mr. Southouse to be appointed to the Council; cannot recommend the appointment. Mr. Ainslie has also applied; his application is transmitted. Still thinks that Craigie is the most suitable. 244

Application from Southouse. 246

Application from Ainslie. 249

April —, Whitehall. Sydney to Hope. Recapitulates contents of a letter of 23rd August last, respecting Roubaud, a Jesuit. He has asked leave to draw a bill on the Superior of the Jesuit College for arrears of salary alleged to be due him, and, in support of this, states that in 1767 he received £230 on this account. There is no trace of this in the correspondence. This man's character is dubious, to say no worse of it, but that is no reason why what may be due should be withheld. If there is no reason to the contrary, the sum of £500 sterling is to be ordered to be paid from the revenues of the Jesuit College. 89

Copy of a bill on Father Glapion for £230, drawn by Roubaud in favour of Mr. Rybot, dated 5th April, 1767, alleged to be sent by Lord Shelburne for payment. 91

May 24, Quebec. Hope to Sydney (No. 22 repeated). Sends minutes of Council, which show that everything had been done at Bay of Chaleurs as ordered, so far as that was possible. Represents and recommends for consideration

1786.

the case of the loyalists there, who are differently situated from their fellow sufferers. Calls attention to the case of the aged and infirm among them. Orders have been given to complete the road to New Brunswick, it having become more necessary than ever. Page 252

Minutes of Council from 23rd February (the first on 3rd April) to 30th June. 256 to 286

Petition from loyalist settlers in New Carlisle, Bay of Chaleurs. 287

May 24, Quebec. Hope to Sydney (No. 23). That the merchants and traders to the upper country have refused to pay the amount due for transport of their goods, so that he has been obliged to begin a prosecution against some of the principal houses. Remarks on the situation, &c. 295

Memorial from the merchants and traders. 299

Answer to memorial, in which Hope proposes that all in arrear shall pay two thirds of the freight due, within three weeks, the other third to be settled by notes payable in January next. 303

July 26 Dorchester. Memoranda in the form of questions on the policy to be observed towards Canada. 57

July 26, Whitehall. Sydney to Dorchester. Recommends John Proctor. 251

MISCELLANEOUS PAPERS DURING THE GOVERNMENT OF BRIG-GEN. HOPE.—1786.

Q. 26-2.

1784. October 4 to 23. Proceedings in the treaties at Forts Stanwix and McIntosh between the Commissioners from Pennsylvania and the deputies of the Six Nations, Wyandots and Delawares. The Commissioners of the United States were: Oliver Walcott, Richard Butler and Arthur Lee, and of Pennsylvania: Samuel F. Atlee, William McClay and Francis Johnston, who held a preliminary meeting on the 4th and 17th of October, when the Pennsylvanian Commissioners were formally introduced to the Indians, and held a Council with them on the 22nd and 23rd. The deed, dated on the 23rd, for lands in Pennsylvania, is given in full, followed by a sworn affidavit made before Chief Justice McKean of the Supreme Court of Pennsylvania, by Arthur Lee, Commissioner of the U. S., and Griffith Evans, Secretary, that they had witnessed the signing of the deed. 316 to 339

1785. January 9 to 23. Treaty at Fort McIntosh, between the Chiefs of the Wyandots, Delawares, Chippawas and Ottawas, and the Commissioners from Pennsylvania. The Council began on the 9th January and closed on the 23rd, on which latter day the deed for the land was signed by the chiefs, to which an affidavit follows, made before the same Chief Justice on the 17th February, 1785. 340 to 356

March 8, Wakitiomike. Speech delivered by Petesewa, Shawanese, to American messengers, that the tribe will only attend a council at Detroit. 357

November 18, Montreal. Speech of Sir John Johnson to the Six Nations. Formal greeting. His satisfaction at the prudence of their conduct at the meeting held at Niagara, and that they had taken his advice to lay aside the hatchet, but regrets that the Americans continue, contrary to all faith, to make daily encroachments. Is not, therefore, surprised that their patience should give way, but is glad to find the young men have taken advice, in hope of being able to find the way to peace and happiness. Their determination to uphold their rights cannot but be approved of by every honest man, and their united action may secure from the Americans the justice they have a right to. He assures them of the sense entertained by the King and the nation of their services. He approves of their intention to

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give the Americans such lands as can conveniently be spared; a right to such only as have been purchased, and the disputes caused by unauthorized persons disposing of them. They ha represent to the American Commissioners the invalidity of the s ing at the same time such lands as they (the Indians) choose of, and to fix a boundary to be agreed to by all the Confeder

1786. inviolably observed.

January 31, Mouth of the Great Miami. Articles of a treaty concluded at the mouth of the Great the North-Western bank of the Ohio, between the Commissio United States and the Shawanese.

February 25, Detroit. McKee to Sir John Johnson. That most of the Indians from side of the lake have at last been induced to attend the meet mouth of the Miami, but are determined not to enter into an ment about lands. The Cherokees and Mingoes refuse to ente negotiations with them and continue depredations on their fro number of the chiefs are disposed to go to Canada this Spring, the invitation of the Canadian Indians and partly to learn the towards them. It is certain that every art will be used at th meeting to alienate their affections but the principal design is to to give up the country, an attempt which the Indians have gone to withstand, and their greatest wish is to obtain support tow right to the country, which secures their attachment. Murder ted by Chippawas on British subjects; the abhorrence of the these deeds, and the chiefs of the village to which the murdere have engaged to give them up.

February 27, Sandusky. ——— to McKee. The Wyandots, Shawanese and Delaw returned from the treaty; the Americans have kept five hostag delivery of the prisoners. The commissioners did nothing b with the Shawanese, who were told they had no land as it ha given to the Americans to secure peace; that their Father (t took no care of them, but that the Americans had pity on would give them a piece of land to sit down upon on the Bee between the Standing Stone and the White River. The In much displeased. Has not yet seen the articles of peace; h them and send them; they are nearly the same as those at Beav Dreuilard (Drouillard) has been appointed to act on behalf of t States; his boasting. He corresponds with Clarke and tell great interest he has with the Indians.

March 27, Fort Schlosser Meeting of the principal sachems and a large body of warri Six United Nations of Indians; John Dease presiding. The Cayu through Fish Carrier, that they are resolved to demand the de to the Americans at Fort Stanwix by some of their people, w authority to grant them, and to offer such a piece of land as best spare for such presents as some of their foolish people ceived. Their rights and lands they hold themselves by obliged to defend. Messages shall be sent to the Western I give them information of their resolution, urging that they be united, as the surest means to obtain a firm and permane They ask that the proceedings be transmitted to the Super General. Answer by Dease, that he would send account proceedings; that a new commander was expected, and that no doubt, be accompanied by Brant, &c. At a private meeti chiefs they repeated their assurances of attachment.

April 24, Montreal. Memorials by merchants in answer to the proposal of Hop payment of arrears, submitting that the dispute might be r the ordinary courts of justice. (See Q. 26—1, pp. 295 to 307.)

1786
April 27, Quebec. Hope to the merchants. That finding his offer of accommodation not acceded to, he has placed the matter in the hands of the Solicitor General to proceed to enforce the claims according to law. Page 311

April 29. Message from the Shawanese to Major Ancrum, with the treaty at the Big Miami, which they had been deceived into signing. They ask for advice. 502

May 5, In Congress. The Corn Planter and his associates, accompanied by Butler and Parsons, Commissioners, and Hutchins, Geographer, introduced to Congress, whose chairman informs them that all the Indian lands have by the treaty been ceded to the United States. Care will be taken that none of their citizens will intrude on the lands allotted to the Indians to hunt and live upon, and Congress recommends them to live quietly on these lands. 534

May 8, Detroit. Major Ancrum to Hope. The attachment of the Indians to the British; they are much incensed against the Americans, particularly against Clark. They have been at the mouth of the Great Miami since the 1st of October, till very lately. Clark has gone to Post Vincent to treat with the Wabash Indians. Has heard that parties of Indians of different nations have gone out against the American frontiers. Does not think that the Indians will ever suffer the Americans to draw their boundary lines, or survey or settle any part of their country. 382

May 10, London. Dunn to Carleton. Asks for his representation to the Treasury to hasten the settlement of his accounts, so that he may be enabled to go to Quebec in Spring. Represents the position of Mr. Taschereau and Mr. Sinclair, and that their accounts, the first as paymaster to the Canadian militia, and the other as paymaster to the British militia, were examined in June, 1778, by a Board of Accounts. These accounts were for transactions during the siege of Quebec, in 1775-6. To bring them to London would be to involve them in ruinous expense. 512

May 14, Sandusky. R. M. Gilien (?) to McKee. Arrival of Gilbault from Pipe's town, who stated that Pierre Drouillard and a Frenchman, calling himself an officer, had been at the Delaware and Wyandot towns telling the Indians that the French and Americans were on the march to take possession of the posts; one party by the Wabash, the others by Sandusky and Niagara, and that Congress desired the Indians to assist them. 504

May 15, Detroit. Arrival of two Huron Chiefs, who say that after the public council at the mouth of the Big Miami, the United States Commissioners called Half King, desiring him to prevent all white people, except those who had a licence from the Americans, to come among them. Should any be found after this, these people would not escape when possession was taken of Detroit. 505

May 17, Miamis. Park to his partner at Detroit. Describes the hostilities by Indians on the Americans. Attack by the latter on a body of Piankashaws recently from Post Vincennes, where they had sold their goods for whisky, were still drunk and had attacked the bateaux of the traders. The unfortunate result to the Americans; the Indians did not lose a man; the state of terror among the traders. A flag sent on the part of the English and French traders, which was well received. Free passage given by all the tribes but the Ouias. He (Park) slipped away after being threatened with a tomahawk; most of the traders are leaving to avoid pillage of their goods. The Indians here are in a wavering condition; he was told at the Ouias, and has reason to believe it, that a belt was sent to lift up the axe against the English. 507

May 29, Detroit. Major Ancrum to Hope. Sends copy of treaty between the Americans and Shawanese, who did not sign it from attachment but from the fear that the Americans would burn their villages before they could communicate with the other Indians. They declare that it was only to

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gain time and that they do not intend to abide by the articles of the treaty. The Americans are frequently sending messages to the Indians that they intend taking possession of the upper posts this summer and asking their assistance. The Indians, however, believe that this is only a pretext to get into the Indian country, to establish themselves at some of the trading posts, probably the Miamis and Sandusky. How is he to act in such a case? Page 495

May 29, Detroit. Major Ancrum to Hope. Sends extracts from a letter written by Park, a merchant, to his partner, dated at the Miamis after his return from Post Vincennes. Is informed that parties of Indians are gone against the American frontiers; they have a particular dislike to settlers about Post Vincennes; they are a good deal alarmed, too, at settlements about the Falls of the Ohio. 497

June 1, New York. Message from Richard Butler to the Indians, that the Congress of the United States are deliberating on measures to continue the correspondence with the Indians. O'Beal and his people advised to return and assure his tribe of the good will of the Congress, and to advise the Six Nations and all other Indians to live in peace and friendship with the United States, the only people who can give them protection, &c. 538

June 5, Quebec. Hope to Baby (in French). Notifying him that he had received orders to lease the King's posts to Alexander and George Davison and him (Baby) with certain conditions attached. Should he not accept the lease, the whole shall go to the Davisons 394

June 6, Quebec. François Baby to Hope (in French). Accepting his share of the lease of the King's posts, on the conditions stated in Hope's letter of the 5th. 399

June 6, Quebec. Hope to Alexander and George Davison, and François Baby. That he is ordered to lease the King's posts to them, and asking if they accept on the conditions specified. 401

June 6, Quebec. Same to Thomas Dunn, William Grant and Peter Stuart. That the orders he has received to grant a new lease are positive. Does not know enough of the circumstances to enable him to judge as to the strength of their claim to be reimbursed by the new lessees for their expenditure. 403

June 7, Quebec. John Lees, attorney for Messrs. Davison and Baby, to Hope. That they accept the lease. They do not think the old lessees entitled to any compensation, but they will render them every assistance possible. 405

June 7, Quebec. Hope to the Attorney and Solicitor General. Desires their opinion on the claims of the late lessees of the King's posts for compensation for buildings and for debts due by the Indians, before he gives orders to prepare the new lease. 107

June 10, Quebec. Dunn, Grant and Stewart, by their attorneys, to Hope. They have, in answer to the request of the Attorney and Solicitor General, sent documents to them in support of their claims on the new lessees of the King's posts. 409

June 12, Quebec. Opinion of the Attorney General on the claims of the late lessees of the King's posts. 413

Opinion of the Solicitor General on the same subject. 428

The judgments in reference to such cases, given under the French Government quoted in the opinions of the Attorney and Solicitor General, follow. 445

June 14, Quebec. Hope to Messrs. Davison and Baby. That no law or custom (in the legal acceptation of these terms) exists, so far as produced, to prove that the old lessees can demand indemnification from the new for improvements, yet sufficient has been shown to induce the belief that such a demand may be enforced in equity; he proposes clauses in the lease to protect Government against such claims, and to guard the interests of the new lessees. 462

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June 14, Quebec. John Loes, attorney for Messrs. Davison and Baby. Agreeing to the clauses proposed by Hope, should they be deemed necessary. Page 465

June 15, Quebec. Memorial of Thomas Dunn, William Grant and Peter Stuart, respecting the lease of the King's posts. 395

June 15, Quebec. Hope to Messrs. Dunn, Grant and Stuart. That in consequence of the opinion of the law officers of the Crown, no further delay can be granted in carrying out His Majesty's instructions. Points out the remedy, should they continue to view the matter in the same light as before. 466

June 15, Quebec. Instructions contained in Lord Sydney's letter and additional clauses handed to the Attorney General to prepare the lease. 467

June— Quebec. Messrs. Davison and Baby to Hope. Returning copy of additional clauses with remarks, and pointing out the hardship of making them responsible for debts due by the Indians to the old lessees. 470

June 16, Quebec. Hope to Davisons and Baby. Points out that the Treasury will not exact anything not supported by the law and custom of the country; nothing can be exacted from them in consequence of the additional clauses that has not been required in like cases. 472

June 16, Quebec. Davisons and Baby to Hope. The alterations which they proposed in the lease being inadmissible, they beg that the necessary steps be taken to have it prepared. 473

June 21, Quebec. Copy of the lease of the King's posts and domain to Alexander and George Davison and François Baby. 475

June 26, Quebec. Hope to Sydney (No. 24). His gratitude for the approbation of his conduct expressed by the King and the Ministry. His pleasure at learning that the affairs of the Indians had been under consideration; the tranquillity of the Province depends on the result. The papers sent will show how matters stood previous to the arrival of Joseph Brant. The conduct of the Six Nations will probably be regulated by the turn Joseph gives to His Lordship's dispatch. Joseph's attachment to Great Britain does not appear to have increased by his voyage and by the liberality of Government. He (Joseph) does not believe it to be to the interest of the Indians to engage with the Americans, and he has promised a free and early communication of anything material. He (Hope) had advised Sir John Johnson to go with Brant to meet the Indians, but after his arrival at Montreal Sir John changed his mind and let Joseph go off alone. Has no doubt Sir John acted for the best, but hopes on Sir Guy Carleton's arrival he may be able to meet the Indians to convey to them the sentiments he wishes, but he (Hope) had stated clearly the sentiments of the Ministers and, should events call for action, would act with prudence. 312

June 26, Quebec. Schedule of papers with dispatch No. 24.

Proceedings at Fort Stanwix, 4th to 23rd October, 1784.

At Fort McIntosh, 9th to 23rd January, 1785.

Speech at Wakitiomikie, 8th November, 1785.

Letter of McKee to Johnson, 25th February, 1786.

Letter from ——— at Sandusky to McKee at Detroit, 27th February, 1786.

Meeting at Fort Schlosser, 27th March, 1786.

Speech by Sir John Johnson to the Six Nations, 18th November, 1785.

Extract of letter from Major Ancrum, 8th May, 1786.

(The papers mentioned in this schedule are calendared at their respective dates.)

June 26, Quebec. Hope to Sydney (No. 25). Explains, in reference to paragraph in Sydney's letter of 6th April respecting the appointments he had made in the Quarter Master and other departments without previous sanction, that these were only proposed, waiting approval, and that the expense instead of being increased had been lessened. He had proposed the

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appointment of aides-de-camp as being necessary, but this being inadmissible according to the rule of military law, he preferred to share his appointments with those who attended him as aides-de-camp rather than introduce an innovation that might cause jealousies. Page 384

Table showing the expenses of the Quarter Master General's department, referred to in the immediately preceding letter. 387*a*

June —, Quebec. Hope to Sydney (No. 26). The old lessees of the King's posts had been notified to leave, and a lease had been given to Alexander and George Davison and François Baby, with additional conditions, which, however, can be set aside by the Ministry, if not approved of. 388

Memorandum of dates and references in the business of granting a new lease of the King's posts. 390

June 27, Quebec. Hope to Sydney (No. 27). His grateful thanks for the manner in which he has been informed of the appointment of a new Governor General and of the arrangements that may be made for the Provinces of Quebec and New Brunswick. Conscious that he is not fitted for the Lieutenant Governorship of New Brunswick, he is forced to decline the appointment; should, however, Colonel Carleton decide to remain there, he (Hope) would gladly continue at Quebec, at which place his services have met with the approbation of the King. In this determination he waits Sir Guy Carleton's arrival with perfect submission to his Sovereign's pleasure. 490

July 1, Quebec. Same to the same (No. 28). Sends intelligence from the Indian country on the present critical state of matters between the Indians and Americans. Has not yet heard from Sir John Johnson since the arrival of McKee, but everything seems to portend hostilities between the Indians and Americans, which will make it difficult to prescribe a line for the officers at the posts. Shall endeavour to adhere to the spirit of the instructions in the letter of 16th April. The purport of all instructions till now is to avoid encouraging hostilities, and no occasion has been given to the Americans to lay the charge of stirring up the Indians against them, the encroaching and imperious conduct of their own people being the cause of mischief. 493

(Enclosures of 31st January, 29th April, 14th, 15th, 17th and 29th (2) May, 1786, are calendared at their respective dates.)

July 14, Halifax. Campbell to Carleton. Congratulates him on his appointment. Desires to have leave of absence, for reasons given. Asks the same for Captain Addenbrook, his aide-de-camp, and Captain Campbell, his brigade major. 581

July 19, Niagara. Campbell (29th Regiment) to Hope. McKee has no doubt told him of the arrival of deputies from the Western Indians; others have since arrived. A council has met at Buffalo Creek about the boundaries with the Americans, to which Brant and David Hill have gone; Captain O'Beal has also made his appearance there; remonstrance made against his taking part in the council, to which Brant has promised to give effect. Is inclined to think Brant deep and designing, with a stronger attachment to his own interest than to any country or people, and with great ambition, which the meanness of his extraction may frustrate. Shall try to study his character more fully. 521

July 25, Niagara. Council of the sachems and warriors of the Six Nations with the deputies of the Wyandots, Chippawas, Ottawas, Pottawatomies, Shawanese, Mingoes and Cherokees, John Dease presiding. The proceedings at Buffalo Creek were reported, and it was stated that a meeting had been appointed in the Shawanese country to consider the critical situation, that place being fixed on because of American encroachments. They had advised the Shawanese, Cherokee and Wabash nations to refrain from hostilities until the meeting. They hope for the speedy

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arrival of Sir Guy Carleton. O'Beal and his speeches from Congress were received with contempt; is persuaded that he had imposed on Congress. Major Campbell's answer. Page 527

August 8, Quebec. Hope to Sydney (No. 29). Sends duplicates of letters forwarded in July in care of Mure. Continues to hold the same opinion as when the letters were written. The critical state of Indian affairs. This will be more clearly seen by the result of the council now in session at Niagara, so that Carleton may be enabled on his arrival to form a certain judgment of the real views and intentions of the Indian nations. 523

August 8, London. Dorchester to Nepean. Sends letter from Dunn about accounts which he (Dorchester) urges should be settled before the first vessels sail next Spring. The hardship, perhaps ruin, it would be to Mr. Taschereau and Mr. Sinclair to bring them to London to settle accounts, which had been examined, as stated by Mr. Dunn. 511

August 17, Quebec. Hope to Sydney (No. 30). Encloses minutes of the council of the Six Nations at Niagara, sent by Sir John Johnson. The proceedings will show the temper of the Indians. Reasons for his distrust of their intentions. (For minutes see the date—25th July.) 525

August 25, Whitehall. Nepean to Dorchester. That Pitt agreed to the appointment of Lanaudière at a salary of £400. Lanaudière is still dissatisfied, and has written to Pitt asking that the salary be £500, the same as he had in his late office, and that compensation be made to him for the salary since its abolition. Pitt, he thinks, will not object to the increase; of the compensation he can say nothing. 26th. Pitt agrees to the salary of £500, to cover the arrears, with which Lanaudière appears to be satisfied. 515

August 26, Whitehall. Same to the same. Asks him to fill up the blanks in the estimates for the salary of Cramahé as Lieutenant Governor, and the names of the other Lieutenant Governors at £100 each. To send list of all drawing pensions since 1767, and the number who are dead, as there must be now a considerable reduction. 517

August 29, Portsmouth. Dorchester to Nepean. Has received and shall attend to instructions. Has not noticed anything as to the promises made to the Indians, or the assurance that he (Dorchester) would carry into execution the King's intentions and distribute their gratifications. Nor does he notice any military arrangements. Campbell has had leave to quit the command. Is it intended he should settle such things? 518

August 30, Spithead. Same to the same. Lanaudière has said nothing of his private affairs, so presumes he is satisfied. Has found an excellent Canadian pilot half starved and in rags, who has a claim on the Navy, which is enclosed. Has advanced him ten guineas to keep him from perishing from cold and to avoid the indignation of his countrymen at seeing his wretched condition. It cannot be expected that pilots will run the risk for a few days' pay of being carried off and turned adrift in a strange country. Wishes Mr. Smith had been as well treated as Mr. Lanaudière, considering his office. 519

September 2, Quebec. Hope to Sydney (No. 31). Sends naval officer's returns of vessels entered inwards and outwards. Cannot give details of the crops, or of flour and biscuit produced this year, for reasons given, but sends a general statement showing that there has been a good harvest, and estimating the probable amount for export. The reason for the high price of biscuit and flour last season, which if not explained might have a prejudicial effect on trade. Sends list of Indian trade passes granted for the season; the returns of peltry are very favourable. 540

The return of trade licences referred to. 544

September 10, Detroit. Brant to Butler. Had arrived four days ago, all well but the Delaware Chief; expects to meet the Hurons and others to-day; will then go to the Shawana towns. The news from the Indian villages not agreeable;

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most of them are for fighting; some of the Delawares and Hurc
for peace. Some of the warriore got tired of waiting and have
the Great Miami to dislodge the Virginians, who have built a
the Indian side of the Ohio. Kayaghsoton has been at some of th
ana villages from Fort Pitt and threatened if they were not quiet
the Virginians, but had to run for his life, as those he threatene
going to kill him. Beele (O'Beal) has told a fine story to the Vir
of what he did at Buffalo Creek, and that he made the Indians th
about among the Indian nations to forbid them to hurt the Y
The message to the Wabash Indians has only gone, so he is afraid
have tedious work before he gets back, and he knows that some
nations will handle him and his party roughly. Their distrust
English and their belief that they and the Five Nations mean t
them in the lurch. He thinks they have good reason to think so. T
no ammunition of any consequence, or anything else of use to the I
The English have always been too slow in sending up Indian p
when there are plenty at Montreal; it would be better to say
that they are not for the Indians; then they could be kept whe
are. P

October 5, Niagara. Butler to Hope (?). Had found the Indians much dissatisfied;
had difficulty in getting proper Indians to accompany him to th
nations. He (Butler) had settled matters at Buffalo Creek and
sailed next day for Detroit. The bad temper of the Indians; h
enough to do to keep them within bounds. The promise that S
Carleton would bring them large presents and ammunition has
them; it is difficult to say how long they will remain so; th
now upwards of 200 here for ammunition. Is afraid Sir John J
will not be able to visit them this Autumn, but hopes he will clothe
if not, he can be of no further service. As Dease is coming up
that Sir John will do the needful to enable him (Butler) to sat
some measure these poor creatures.

October 21, Quebec. Hope to Sydney (No. 32). Sends duplicates of previous corr
ence. Has not changed his opinion concerning Indian affairs.
heard the result of their conference in the Shawanese country
arrival of Lord Dorchester will be the means of receiving furthe
mation. Sends Minutes of Council.

List of trade passes for 1786.

October 23, Quebec. Minutes of Council from 16th May to date.

October 23, Quebec. Dorchester to Campbell, Halifax. It would give him much satis
should he (Campbell) remain until he (Dorchester) could visit
Scotia next summer, but after ten years' service, that is for h
consideration. The other two gentlemen may leave as soon
(Campbell) chooses. Should he not remain till next year, asks
issue the order enclosed, by which Colonel Carleton, the next in ser
shall take command of the troops.

The general order referred to.

October 24, Quebec. Dorchester to Sydney (No. 1). Since landing yesterday
received addresses containing very proper expressions of loyalty.

Copies of the addresses (in English and French), and
answers. 565

October 25, Quebec. Dorchester to Sydney (No. 2). Sends copies of letters from
General Campbell and to Lieutenant Governer Parr. Everythin
quil.

October 25, Quebec. Same to Nepean (private). Everything here has the appear
good humour; there is some good sense in the addresses. The p
succession of Colonel Carleton to the command of the troops on

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of the Atlantic; owing to the connection between them, would prefer the order to come from the Minister. Page 587

October 25, Quebec. Dorchester to Parr. He purposes going to Halifax and visiting the islands of St. John and Cape Breton, to inform himself of their actual situation, so that their interests and those of Great Britain may be combined into one general system of mutual advantage. The lieutenant-governors to be informed of his proposed journey. 585

November 7, Quebec. Same to Sydney (No. 3). Encloses copy of orders sent to the officers commanding the upper posts, so as to remove anything that might tempt the settlers to wish for a change of government. 588

The order referred to, dated 2nd November. 589

November 8, Quebec. Dorchester to Sydney (No. 4). That payments to John Christopher Roberts, Richard Cumberland, Edward Bishop and William Pollock, that had previously been made here, are not now included in the instructions, so that he presumes they are no longer to be paid. These and reductions of salaries will make a reduction in the charges of £1,497 10s. 591

November 8, Quebec. Same to the same (No. 5). Sends letters from Butler, 5th October, and Brant, 10th September, giving an account of the temper of the Indians. Sir John Johnson writes that their expectations are great, and that they testify no small impatience. 593

November 9, Quebec. Same to the same (No. 6). Recommends Ogden to succeed Livius as Judge of the Admiralty Court. 600

November 9, Quebec. Same to Nepean (private). Cuthbert very angry, and threatens to have his case brought into the House of Commons. Desired him to state his claims in a memorial and it would be laid before Council; this will bring up the equity of his case, which nobody wishes to keep back. Should he decline, his application to the House of Commons will come with a bad grace. 601

November —, Whitehall. Sydney to Dorchester. Sends memorial of Captain Nicholas Jadis respecting his lands on the St. John River; an investigation to be made into the correctness of his statements. 550

December 28, London. Guy Johnson to Nepean. Sends returns of the Six Nations and their nearest dependents and confederates. It is fully in his power to explain any difficulty or to give particulars which Government may require. Regrets that he cannot get the public accounts settled, so as to return to his station, but is trying to accelerate the settlement. 602

General state of the Six Nation Confederacy as it was in 1781, taken by nations. 603

Minutes of Council, Quebec—1787.

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November 27, Quebec. Dorchester to Sir John Johnson. That deputies from the Indians are to be prevented from coming to Quebec if that can be done without offending them. They should be made to understand that there is no power here to begin a war, which might involve half of the globe, with all the seas, in blood and destruction; at present the King is at peace with the whole world and desires to continue so. The Indians have his good will and the best endeavours would be made to secure for them a solid peace. They should be mildly reproached for their ill-treatment of traders and reminded that the King punishes white men who transgress the laws of peace with the Indians; that he does not seek their lands but is rather disposed to give or even buy lands to give them a refuge. These are to be accompanied with every expression of kindness their language will

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admit, whilst all promises not intended to be fulfilled must be avoided. They are to be sent off warmly clothed and bountifully supplied. Page 82

December 11, Quebec. Dorchester to Sydney (No. 7). Recapitulates the contents of previous letters. The Americans had made an inroad on the Shawanoe country, West of the Ohio, had burned some of their villages and crops, killed several Indians and carried off some women and children prisoners; the town where the Indian congress was to assemble was also laid in ashes; the alarm was increased by the report that parties were moving up the rivers which fall into the Ohio from the North and lead to Detroit. This was supposed to be a volunteer expedition from Kentucky, secretly encouraged by Congress, before it was known that the troops of the United States had been augmented. Orders were sent to the officers commanding the upper posts and to the officers of the Indian Department to try to confine the war to as narrow bounds as possible. The latest accounts (in November) say that the party under Logan which burned the Shawanoe towns had repassed the Ohio, and that Clark, with about 1,800 men and small artillery had penetrated by the Wabash, about 120 miles above St. Vincents (Vincennes), leaving on his return 250 men to repair and garrison that post. Clark said to have retreated because an equal number of Indians had assembled to attack him. They speak of returning in Spring with force enough to reduce the Indians on the way to Detroit. The Indians have fixed their council at a Huron village near the mouth of the Detroit. They are much embarrassed. They have been invited to send deputies to meet New York agents at Albany. 1

December 14, Quebec. Same to Sir John Johnson (secret). Butler cannot at present come down as he proposes; he must remain with the Six Nations and learn the cause of their discontent, which must have some other reason than their not having received their presents. He is to ascertain also their opinion as to retaining the upper posts, particularly Niagara and Oswego; if they are indifferent there is no reason to be anxious to keep them. What would be their course should the Americans attempt to take them by force, which he would consider as the beginning of hostilities. However indifferent about them, war must be repelled by war. Is inclined to think such ideas are nourished by some of the people of the United States and would not be surprised if they detained those of the Six Nations who went to Albany to intimidate the rest. Butler has much to do; Fort Ontario requires his greatest vigilance. He is to reward generously those who may deserve it and to be very reserved to all but the commandants and him (Johnson). 86

December 18, Detroit. Minutes of meeting of the United Indian Nations to propose a treaty of peace with the Americans, referred to in Dorchester's letter of 28th February, 1787. 69

December 24, Detroit. Proceedings of the second council of Indians referred to in Dorchester's letter of 28th February. 76

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January 2, Quebec. Chief Justice Smith to Nepean. States at length the reasons for adopting either the French or English law in deciding cases, so as to do full justice to both Canadian and British subjects; the principles governing the administration of the law in Canada under the Quebec Act, and a statement of the case leading to the controversy and copy of the judgment of the Court of Appeal and of the Court of Common Pleas. 18

Judgment in Appeal. 26

Judgment of the Court of Common Pleas. 28

January 3, Quebec. Dorchester to Sydney (No. 8). Forwards addresses from New Johnstown, Oswegatchie and Cataraqui. They express sentiments of gratitude, but hope to have the same advantages as other settlers in

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North America. Delancy explains this to refer to the tenure of land. He (Dorchester) believes the conditions on which the land is held to be hard, but hopes to write more fully in the course of the Summer. The answer is also enclosed. Page 5

Address from New Johnstown, dated 2nd December, 1786. 7

Address from New Oswegatchie, dated 16th November, 1786. 10

Address from Cataraqui and the seven adjoining townships. 13

Answer addressed to Stephen Delancy. 16

January 4, Quebec. Dorchester to Sydney (No. 9) Nothing has happened since his letter of the 11th December, unless it be a law opinion by the Chief Justice in the Court of Appeal on which public opinion is much divided. Mr. Smith transmits a statement thereof. 17

January 14, Quebec. Le Maistre to Nepean. That Dorchester does not write to Sydney by this opportunity. 37

January 16, Quebec. Dorchester to Sydney (No. 10—secret). The military preparations in the United States and the formation of magazines as far as to Saratoga are said to be for the purpose of reducing the Indians. The disorders in Massachusetts and neighbouring States is another object, but he suspects that an attack on the upper posts is part of the plan. The weakness of these posts; the want of subordination among the Indians unfits them for great enterprises. Should it be determined to maintain these posts a considerable expense will be necessary, as well as strong garrisons. Fort Ontario, instead of 50 men, should have a battalion, to resist till relieved by the militia from the Province. Should it be determined to surrender these posts it will enable the Americans to reduce the Indians, and involve the loss of a great part of the fur trade. Should the posts be destroyed the disadvantages would be delayed. The most injudicious of all is no resolution, therefore desires the King's commands on the subject. 34

February 4, Quebec. Same to same (No. 11). Recommends the appointment of Juchereau Duchesnay to succeed Levêque in the Council; his services. 59

February 5, Quebec. Same to same (No. 12). Sends list of Rigouville's corps, showing casualties and present state; list of officers belonging to the three Canadian companies whose provincial rank and half pay have been confirmed, and list of officers recommended for the same. Recommends a pension to Mr. Rocheblave for his services and losses. 60

Lists of Canadian officers referred to in immediately preceding letter. 62, 63, 64

February 10, Niagara. Meeting held by Butler with the principal Chiefs of the Six Nation Indians. (Enclosed in Dorchester's letter, No. 15, of 10th of April, to Sydney.) 103

February 28, Quebec. Dorchester to Sydney (No. 13.) The Grand Council of the Indians near the mouth of the Detroit have sent proposals of peace; deputies to meet in Spring to settle the terms and a reasonable boundary, and that in the meantime surveyors and others should be prevented from crossing the Ohio. At a second council they agreed to ask what assistance would be given should the Americans refuse a reasonable peace. It is generally believed that there will be war: sends directions given after the inroad of the Americans. It is reported that proposals have been made to Congress to attack Fort Niagara; thinks this scarcely possible. The state of affairs requires the organising of the Militia, so that regular corps might be formed therefrom. Should he succeed it will equally strengthen the interests of this country and Great Britain, otherwise the tenure here is very precarious. There is no doubt of the passing of a Bill for this purpose, but he regrets that there is not the harmony among the members of the Council that he could wish. A people unused to military exercises for 27 years do not willingly take up the firelock, but the rank

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and half-pay of the officers and the same quantity of land to their privates as to other reduced corps will, he hopes, have some influence. Page 65

February 28, Quebec. Dorchester to Sydney (No. 14). Encloses copy of Johnson's requisition of 9th November, 1786, for goods to assort the Indian presents in store. 89

The requisition referred to. 90

March 31, Whitehall. Nepean to Dorchester (secret). That a gentleman has been engaged and to be paid £200 a year for his services. Encloses paper communicated by him. He intends to visit Quebec to settle his plan of communication; his character. 38

March 31, Whitehall. Same to same (private). Appointment of Colonel Carleton as Brigadier approved of; had Parr remained in the army, the same rank would have been given to him as to Ogilvie of the 4th. Government never intended to deprive Cuthbert of his just rights, but could not grant his exorbitant demands. The documents relating to his claims shall be sent. Had understood that the Treasury were to instruct him as to the settlement of the claims made by the Indians. Those of Brant and his sister being paid, the others follow as a matter of course. 39

April 5, Whitehall. Sydney to the same. Letters received; the King's confidence in his prudence. The affairs of the Indians in a critical state; they would naturally be disappointed should supplies be discontinued. His wisdom in keeping hostility between them and the Americans within narrow bounds; should it extend northward and an attempt be made to take forcible possession of the posts, the assistance of the Indians would be desirable. Their past services leave no doubt of the conduct to be observed towards them. To distribute the goods in Montreal to the Indians, if that has not already been done. The commotions in Massachusetts Bay will retard operations against the Indians; to assist them at present would be imprudent, but it would not be becoming to refuse them ammunition, which could be done prudently. Will give orders to the Treasury to send a supply of presents. Major General Campbell intends to make use of his leave of absence; in that case Colonel Carleton is to be made Brigadier General on the American staff, the same rank to be given to Colonel Ogilvie, who relieves the 60th in Nova Scotia, that regiment to go to Quebec, so as to prevent the inconvenience arising from Ogilvie being senior to Hope. Patterson ordered to give up the command to Fanning and return to England; has refused to obey and remains on the Island (St. John); he has accordingly been dismissed. Hamilton, who was to have been Lieut.-Governor of Cape Breton in the absence of DesBarres, is appointed to Bermuda, and as DesBarres must return to England to explain certain transactions, McCormick (McCarmick) is to relieve him. His suppression of unnecessary charges on the establishment of Quebec approved of, but there are circumstances which would make the application of the rule harsh. Cumberland and Pollock are to have their salaries continued; those to Bishop and Roberts are compensation for the suppression of office and cannot be interfered with. Other offices referred to. The question as to whether English or French law is to be the rule is referred to the law officers. 41

April 5, Whitehall. Same to same. With statement of the case of George Cartwright, for many years engaged on the Labrador fishing, and of his complaint against Noble and Pinson for acts of oppression on that coast. Cartwright asks for a grant of land and the exclusive property of Touchtoke Bay and that some sort of government may be established. As to the land, that may be given if without injury to others; the decision as to the civil government to be left to his (Dorchester's) consideration, his views to be reported. 42

April 5, Quebec. Same to Hope. Dispatches received; the different points in these are commented on substantially as in letters to Dorchester. 53

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April 10, Quebec. Dorchester to Sydney (No. 15). Encloses communications of a very interesting nature; nothing in them changes his opinions expressed in letter No. 10, (16th January). Sends also copy of the minutes of a meeting between Butler and the principal chiefs of the Six Nations on the 10th February. Page 95

The enclosure without date or signature, describes the different classes who were led to take part in the American Revolution. Not a gentleman in the States from New Hampshire to Georgia, who does not view the present government with contempt, who is not convinced of its inefficiency and who is not desirous of changing it for a monarchy. "They "are divided into three classes. The first-class proposes a federal "government somewhat resembling the constitution of the State of "New York, with an annual executive Senate and House of "Assembly. The second wish to have a sovereign for life, with "two triennial Houses of Parliament. The third are desirous of estab-"lishing an hereditary monarchy, with a form of government as "nearly resembling (that of) Great Britain as possible. Of the first-class "many look up to General Washington, those of the second and third "classes cast their eyes to the house of Hanover for a sovereign; they "wish for one of the King's sons. The third class is the most powerful "and composed of some of the ablest men in the States. They esteem "the plan of the first class every way inadequate, that of the second in "favour of an elective monarchy very objectionable, witness the condi-"tion of Poland, but view their own system, if successful, as affording the "finest prospect of a respectable and stable government. They have "already fixed upon two gentlemen to go to Great Britain on this sub-"ject, when they judge that matters are ripe for it." Remarks on the little prospect of success attending the convention to be held at Philadelphia in May, the weakness of the Government, the public distresses and pressure for money, the acknowledgment of the justice of British claims; the objections to admitting Vermont; the differing opinions as to Washington's views in respect to assuming power; the general desire for a monarchy. Dr. Griffith's course respecting Washington; he goes to England to be consecrated Bishop. 96

June 2, Whitehall. Sydney to Dorchester. Encloses paper sent through Mr. Liston, Chargé d'Affaires to Madrid, and asking that an inquiry be made in the Province of Quebec for the persons named. 93

François Auclair Decoing, now in the Walloon Guards in Spain, desires to know whether his two brothers, who lived at Charlesbourg, Canada, are still alive. 94

June 13, Quebec. Dorchester to Nepean. Letters received. Is glad that the Indian presents may be expected in good time. Lieut. Governor Paterson has arrived from St. John Island to sail by the next opportunity; he seems penitent. 108

June 13, Quebec. Same to Sydney (No. 16). Transmits titles of 12 ordinances passed during the last Session. 109

June 13, Quebec. Same to same (No. 17). Sends minutes of Council, including reports on the courts of justice; on commerce and police; on population, agriculture and the settlement of the Crown lands; on militia, high roads and communications; Journals of Council; copies of ordinances; two letters from the Lieutenant Governor and papers concerning a Grand Jury of Montreal. The great bulk of the minutes of Council arose from the altercations which prevailed, but the members separated in apparent good humour. Two parties have existed since the introduction of civil law in 1764, the one zealous for English laws and a House of Assembly, the other not less anxious to maintain the ancient laws. The Quebec Act was introduced at a time when nothing could be thought of but

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self defence, and the ordinances for the administration of justice since that time have been only temporary and re-enacted from time to time, with alterations. The Bill brought in this Session by the Chief Justice to re-enact the Ordinance which expired this year, was rejected as were all his other bills, on the ground that they introduced too much novelty; a bill on more Canadian principles was introduced, and protested against by the minority, and the merchants desire to be heard in opposition to it. The attack by the Attorney General on the Courts of Appeal and Common Pleas, leading to protests, letters, dissents, &c., copies of all which are enclosed. The Chief Justice has been directed to investigate the charges against the courts, the Council being to some extent involved in the accusation. The Bill was rejected and the expiring Act re-enacted for two years with many additions. The Council was divided into committees to consider special subjects; their reports furnish much useful information. In reference to commerce, the merchants made a demand for English commercial law, which has alarmed the Canadians, who have presented a petition against changes; the reports were about the same from Montreal as from Quebec, followed in Montreal also by a petition from the Canadians to the same effect. In the latter the Grand Jury sent for several of those who had signed to be examined, which gave still more offence, and Mr. Franchere was prosecuted by the Attorney General for making free remarks on the irregularity and fined £15; interest has been made to have the fine remitted, but he (Dorchester) believes the recommendation to that effect must come from the Chief Justice. Page 112

Minutes of Council from the 24th of October, 1786, to the 2nd of June, 1787. The list of documents included in the minutes:

A. Minutes. 120
B. Report on courts of justice. 185
C. Report on commerce and police. 235

November 13, Quebec. Dorchester to Sir John Johnson. That there being reason to dread an outbreak by the Indians, the agents are be instructed to stop this, or if they cannot, to restrain it within the narrowest limits, representing the injustice of retaliating on persons who may neither approve, nor have the least knowledge of the injuries done them, but who, on the contrary, may be their best friends. 85

1788. January 9, Quebec. Same to Nepean. Sends report of survey on goods received by the "Lillies," and requisition for goods to assort the Indian presents. 56

Survey referred to. 57

MINUTES OF COUNCIL, QUEBEC—1787.

Q. 27-2.

1787. June 13, Quebec. Continuation of list of documents included in the minutes of Council:

D. Report upon population, agriculture and the settlement of the Crown lands. 497

The report is thus divided: Report of committee. 499 to 509

Letter from the magistrates at Cataraqui to Sir John Johnson. 510 to 518

Letter from the officers at New Oswegatchie to Sir John Johnson. 519 to 521

Information communicated by John Collins, Deputy Surveyor General concerning the raising of hemp and flax in the new settlements. 522-523

Reflections by James Fisher, surgeon to the garrison at Quebec. 524 to 533

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Reflections of Charles Blake, surgeon at Montreal. Page 534–535

A letter from Dr. Blake, calling attention to the deaths caused by unqualified practitioners, with proposals for regulating the profession and eradicating the St. Paul's Bay disease. 536 to 554

E. Journal serving as a report on the militia, high roads and communications. 555 to 561

F. Journals of the Legislative Council. 562 to 783

G. Ordinances passed during last session of the Council. 784 to 916

H. Letter from the Lieutenant Governor (Hope) relative to his objections to the Bill for collecting the revenues, with proposed regulations for collecting the casual revenues, &c., and various extracts. 917 to 930

I. A second letter on the same subject. 931 to 939

K. Papers concerning the Grand Jury of Montreal; in a case of contempt. 941 to 982

June 13, Quebec. Dorchester to Sydney (No. 18). The latter part of the report of the merchants on commerce, and the petitions from the Canadians thereby occasioned, will show the variety of opinions concerning the law and a House of Assembly. The English party has gained strength by the arrival of loyalists, and the desire for a House of Assembly will, no doubt, increase. But for such an alteration, in a country where nine-tenths of the people do not understand the nature of an Assembly, the plan should be minutely unfolded and its effects discovered. The description should be published and time given to understand it, otherwise disorders might arise at the outset. Is himself at a loss for a plan. The change in tenure of land is more pressing, as the instructions are to grant lands on a tenure similar to that of the French Government, but a change is absolutely necessary to free and common soccage with a limitation of 1,000 acres to the same person. Petition from the loyalists enclosed, for the tenure to be the same as in Nova Scotia and New Brunswick. It is to remove all cause of discord that he further recommends that the thirty pence for every 100 acres be remitted in Nova Scotia and New Brunswick to all holding not more than 1,000 acres each. The right should be reserved as a check on large grants to persons who do not cultivate or improve and obstruct settlement. Recommends that in every township of 30,000 acres 5,000 should be reserved to reward meritorious servants, and strengthen an aristocracy where everything tends to a wild democracy. People in the States are sensible of this, and would bring forward a remedy could they carry it into execution. As the planters approach the Indian country they imbibe the uncivilized ideas of liberty. Settlement on the American side is checked by fear of the savages. This will soon be done away with, and the King's subjects should be placed on at least as eligible a situation as their neighbours. The Canadians at Detroit being under military control have paid their fines, taken as a perquisite by the commanding officers. Their friends on the Wabash have paid nothing, which accounts for their aversion to the British taking post among them; they expect to pay the same dues as at Detroit, from which they were assured the Americans would set them free. The quit rents have never been collected, and he is convinced their maintenance would only prove a source of discontent. 983

Petition of the loyalists enclosed, praying: 1. For English tenure of lands. 2. For assistance in establishing the Churches of England and Scotland. 3. For assistance to establish a school in each district. 4. For a prohibition of pot and pearl ashes from Vermont as leading to an illicit trade with the United States, and for a bounty on these articles, and hemp. 5. For a loan of three months' provisions. 6. For clothing

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to the distressed. 7. For the speedy running of the division lines of townships. 8. For a post road from Montreal to Cataraqui, and for post offices at New Johnstown, New Oswegatchie and Cataraqui. 9 For a passage from the head of the Bay of Quinté, through Lake Huron, for the Indian trade. 10. That three places may be pitched upon between River Baudet and Cataraqui to receive grain from the settlers. 11. That the Commissioners on Claims would visit New Johnstown, New Oswegatchie and Cataraqui, the general poverty of the settlers preventing them from pressing their claims at Montreal and Quebec. 12. That the use of canal locks be confirmed to them and that in respect to lands they be put on an equal footing with the 84th Regiment. Page 989

CORRESPONDENCE BETWEEN LORDS DORCHESTER AND SYDNEY—1787.

Q. 28.

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November 22, Quebec. Levi Allen. Memorial to Lord Dorchester for permission to bring in free of duty timber of various kinds (specified), tar, pitch, &c., with a variety of other products (specified), "or anything else herein not enumerated, the same being the growth and produce of Vermont," for leave also to sell or barter the same in the Province of Quebec, and, if need be, to transport the same to Great Britain, or the British West Indies, in British bottoms, and to bring back goods of the description specified. Page 7

December 24, Quebec. Remarks by the Chief Justice on the application of English or French law in special cases. (See Finlay's letter of 15th March, 1787.) 356

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January 15, Quebec. Finlay to Nepean. The controversy between the Chief Justice (Smith) and the Judges of the Court of Common Pleas, as to the laws which are to determine commercial cases. The Canadians maintain the *Coutume de Paris*, the merchants and loyalists are contented that the Canadians should enjoy their laws, but wish to have their own cases decided by English law, where they are purely English. The Council will no doubt take the whole question into consideration. 300

February 3, London. D. Claus to the same. Has received report that four Shawanese villages were burned by inhabitants of Kentucky and ten Indians killed. The body of men who came there was 888, commanded by Benjamin Logan, who sent a threatening message that if the prisoners were not delivered up, those taken from the Indians would be carried off and in Spring a force would be brought to exterminate all the Indian nations in that part of the country. A force of 1,800 men, under Clark, was on the march lower down the Ohio and had reached Vincennes, but, as reported by Simon Girty, had retreated on learning that the Indians had assembled to oppose him. The Congress privately encourages these transactions. A number of Indians wish to make peace if they can obtain favourable terms, but the majority wish for revenge. Nothing definite will be known till their meeting at the Huron village near Detroit. Brant frequently harangues them, and urges them to remember "That they were lords of the soil, and all white people were either intruders or invaders," and hopes that their ancient spirit will once more animate the breasts of their young men. Brant and the rest of the Six Nation deputies were out hunting when the villages were destroyed or he would have shared the same fate as those who fell, on whose dead bodies many barbarities were committed. One chief blew

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himself up by placing gunpowder in small bags around him, when he was tied to the stake to be burned. Page 296

February 5, Whitehall. Fawkener to Dorchester. Sends a duplicate of the Order in Council regarding the Jesuit lands to be granted to Lord Amherst, although the Lord President of the Council states that it is unnecessary in such a case. The order is dated 18th August, 1786. 23

February 13, Quebec. Finlay to Nepean. The Council has been sitting for a month, and has not yet debated one question. A well established law will secure the Province, and if the King's ancient subjects can have English law in English causes they will be content, but the judges of the Common Pleas set their faces against its introduction. Reasons assigned for keeping the Canadians apart from the British settlers. The policy of conciliating the Canadians; the misrepresentations made as to the effect of introducing English commercial law, which he believes cannot affect the titles, tenures or other interests connected with land, or the distribution of personal property of those dying intestate. He cannot conceive how the introduction of English commercial law can affect the real property of any Canadian. 302

March 8, Memorials of merchants of Quebec and Montreal. (See Finlay's letter of 15th March.) 358

March 15, Quebec. Finlay to Nepean. Ordinance passed respecting the qualifications of jurors in criminal cases. Other ordinances waiting until the return of the Chief Justice from circuit at Montreal. Three of these are: 1. For the better administration of justice. 2. For the relief of the poor in the trial of small causes. 3. To regulate the militia. A fourth is for lodging the troops in country places and for the transport of the King's provisions, &c. To the first a substitute was brought in by a Canadian gentleman, which proposes to deprive the King's natural-born subjects of trial by jury in commercial cases, and substituting the French for the English rule of evidence in commercial trials. Remarks on the cause of the objections made by the noblesse to trial by jury, and summary of the observations made by Chief Justice Smith on the same subject. 306

Draught of the ordinance for the better administration of justice, with introductory remarks (in English.) 311

The same in French. 332

Abstract of the remarks of Chief Justice Smith on the cases in which English or French law should be applied in the trial of special causes (in French and English), dated 29th December, 1786. 356

Memorial of the merchants of Quebec and Montreal, praying for copies of the Acts providing for the administration of justice, to enable them to consider their provisions, dated 8th March, 1787. 358

May 3, Halifax. Memorial by Daniel Wood, jr., states his appointment to the office of Clerk of the Crown; the satisfactory discharge of his duties and his sudden supercession, and praying that the new appointment be not confirmed till he shall have an opportunity of presenting his case at the foot of the Throne. 130

June 13, Quebec. Dorchester to Sydney (No. 19). The ordinance respecting the militia provides for detachments being embodied for two years; would have preferred three, to effect a cure of the dangerous supineness produced by the disuse of all militia service to train up youth in discipline and obedience and to teach the people that the defence of the country is their own immediate concern; to provide for many natives and residents of distinction. The corps embodied may be increased as exigencies require and always preserved complete. Asks leave to embody three battalions, two of Canadians and one of British or loyalists, on the same plan as in England, except that the Colonel shall have neither pay nor emolument. If

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this measure cannot be carried out in peace there is little hope of drawing out the strength of the country in case of invasion. Page 1

June 13, Quebec. Dorchester to Sydney (No. 20). Levi Allen has proposed a treaty of commerce with Vermont. After being told that he (Dorchester) had no power to make a treaty, but wished to live in friendship with all the States, he desired Allen to put his propositions in writing. Being convinced that the prohibition to trade only applied to imports by sea, in which opinion the Chief Justice concurred, he had issued an order for opening, in some degree, a commercial intercourse by Lake Champlain, and had recommended the Council to pass an ordinance to permit the importation of tobacco, pot and pearl ashes, which was done, with a clause to permit of its repeal. These regulations are an experiment, whose effects can soon be perceived. 4

Enclosed. Levi Allen to Dorchester, 22nd November, 1786, calendared at date.

Order to the Collector and Comptroller of Customs to permit certain imports from Vermont. 9

June 13, Quebec. Dorchester to Sydney (No. 21). Calls attention to the wretched state of medicine in the Province. Suggests that an enlightened, active medical man be sent out to superintend this department. 13

June 13, Quebec. Same to the same (No. 22). That to allow of full consideration by the people of the question of an assessment for the erection of court houses and prisons, a clause had been inserted in the ordinance, suspending it till His Majesty's pleasure be known. 14

June 13, Quebec. Same to the same (No. 23). Sends two returns of presents to different tribes of Indians (named). It is reported that Congress has resolved to establish posts on Lakes Ontario and Erie and on the communications with Niagara and Detroit. It seems as if they would avoid all violence and leave the posts in British possession for the present, trying to render them of little importance by taking post above and below on their own side, so as to intercept the fur trade, relying on their numbers to take possession of the country on a favourable occasion. Had ordered the King's vessels on the lakes to be armed, but finds difficulty in getting seamen, unless men are sent from England or lent from the squadron. This state of affairs will prevent him from visiting Nova Scotia and New Brunswick so early as he intended. P.S. A report had been received of a council of Indians, but containing nothing important. 16

Enclosed. Account of goods and cash intended to be given to the Indians, with two returns. 19 to 21

June 13, Quebec. Dorchester to Sydney (No. 24). Order respecting the grant of the Jesuit lands to Amherst has been received and laid before Council. The Attorney General has been ordered to make a report of the best means of carrying the same into execution. 22

(The order is dated 18th August, 1786. See calendar of Fawkener's letter of 5th February, 1787, at that date.)

June 13, Quebec. Dorchester to Sydney (No. 25). Shall send Finlay to make the necessary arrangements for a monthly mail to Halifax. The utility of this communication, as conveyance to England by way of New York is not considered secure. 25

June 13, Quebec. Same to the same (No. 26.) Acknowledging the receipt of dispatches. 26

July 2, Quebec. Levi Allen to Dorchester. Offers to supply masts, yards and bowsprits for the navy. The prices according to the different dimensions are specified. 107

July 6, Quebec. Patterson, Governor of St. John's Island, to Dorchester. Desires to give additional information as to the reasons for not giving up the government of St. John's Island to Fanning, who did not arrive till the 4th

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of November last. The island has been his hobby; he gave it its laws, its roads, its inhabitants, its separate legislature. He had made his home there and his interests were such that they could not be managed by another. That would not have kept him from obeying the order, but had he gone to Britain to meet the charge against him, of the nature of which he was ignorant, he must have gone totally unprepared; this must have proved his ruin, as he would have been obliged to wait till evidence from the island was sent for. He thought that justice would be best promoted by waiting for the charges and being prepared to meet them. Fanning arrived the day before the Assembly met, which was specially called to consider a Bill to void the sale of some lands for quit rents, which he (Patterson) had delayed. The anger this caused to some men of influence concerned in these lands; his desire to pass this law to soften their resentment and to show the Ministry his readiness to obey instructions; if not passed, he would have been represented as disobedient, and his going to England last winter would have been ruinous. Argues that Fanning's commission was only to take effect in his (Patterson's) absence; had it been to supersede him he would have been condemned unheard. He desires only a full inquiry into his conduct.

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July 27, London. Memorial from the merchants trading to Quebec for a conference with Lord Sydney respecting the commercial laws of Canada. 361

July 31, Quebec. Minutes of Council of State, from the 3rd of June, containing the correspondence with Captain Coffin respecting the detention of vessels from the United States fishing in the river St. Lawrence. 55

July 31, Quebec. Minutes of Council concerning Crown lands from 17th February to date. 89

August —, London. J. Brickwood, apparently to merchants of Montreal and Quebec. That letters and papers, received and laid before a meeting of the merchants, are approved of as containing much useful information. Is sorry Chief Justice Smith's Bill has been rejected. The merchants intend to apply to Lord Sydney by memorial on the subject. If the reports, &c., are to be printed, blanks in the report from Montreal must be filled up. Will cheerfully contribute to obtain better regulations in the present system of government in Canada for the security of commerce. 372

August 3, London. Report by the Attorney General (R. P. Arden) and the Solicitor General (Alex. Macdonald), that the points raised by the Chief Justice as to the law that should prevail in Canada are so important that an appeal should be made to the Privy Council for a decision. 51

August 18, Quebec. Dorchester to Nepean. Sends duplicates of previous papers and copies of the ordinances. 53

August 18, Quebec. Same to Sydney (No. 27). Sends minutes of the Council on State matters from the 3rd June to 31st July, and on Crown lands from 17th February to same date. 54

August 18, Quebec. Same to the same (No. 28). Sends shipping returns. 104

August 18, Quebec. Same to Nepean (secret). The gentleman (name not given) has been informed that he is to have £200 a year, for which he will draw on Drummond's; his demand for 25 guineas for expenses objected to. His statements respecting the Earl of ——— are mere fiction. 105

August 18, Quebec. Same to Sydney. (No. 29.) Eneloses a proposal from Levi Allen for supplying masts, &c., for the navy. (For offer see 2nd July.) 106

August 18, Quebec. Same to the same (No. 30). Sends correspondence with Captain Coffin, respecting vessels from the United States fishing in the River St. Lawrence. Although he believes they have no manner of right under the treaty, yet has recommended in the first instance to treat these vessels with lenity, which was agreed to. 10[illegible]

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(The correspondence is in the minutes of the Council of State.)

August 18, Quebec. Dorchester to Sydney (No. 31). Sends extract of letter from Lieut. Governor Patterson, explaining his reasons for refusing to give up the command of the Island of St. John to Lieut. Governor Fanning. Had heard of the proceedings, but it was not till May that Captain Coffin could take word to Patterson of his (Dorchester's) opinion, when he immediately left and came to Quebec, but finding no vessel there, has gone to embark at Halifax for London. He seeks a full inquiry into his conduct. Page 111

(For Patterson's letter, see 6th July.)

August 18, Quebec. Dorchester to Sydney (No. 32). The arrival of Prince William Henry. The movements of ships of war in the St. Lawrence, bringing troops, &c. Had intended visiting the other Provinces, but is afraid that it will be too late to do so after His Royal Highness leaves. 125

August 18, Quebec. Same to the same (No. 33). Two unfortunate events, one the authorising Mark and Thomas Gregory & Co. to import spirits at nine pence a gallon cheaper than the rate established by Act of Parliament; the other the supercession of Daniel Wood, Clerk of the Crown in Nova Scotia, by the appointment by writ of *mandamus* of Thomson. Although these two cases may not at first appear important, yet they extend far, they leave unfavourable impressions and suspicions of Government, and prepare the way for leaders of sedition. The necessity for confidence, without which these Provinces can never be preserved by Great Britain. 129

(For Wood's memorial, see 3rd May.)

August 18, Quebec. Dorchester to Sydney (No. 34). Reported preparations by the Americans on the Ohio for war against the Indians. The Indians have brought in some prisoners and scalps, taken near the mouth of the Great Miami, where it is reported that 1,500 men are encamped; others marching to join, and 600 gone to Vincennes. It is believed that they intend to establish a post at Miamistown (near Fort Erie); if so, they will command the Indians, and of course, the trade of the country. 134

August 18, Quebec. Same to the same (No. 35). Sends three lists of persons whose claims for provincial rank and half-pay he has confirmed, after investigation by a board of officers. Transmits a fourth list of persons whose cases he recommends. 136

The lists. 137 to 140

September 4, Quebec. Henry Motz to Nepean. Lord Dorchester gone to Montreal, to which place Prince William Henry will follow. Arrival of transports with troops. 149

September 14, Whitehall. Sydney to Dorchester. The Province of Nova Scotia erected into a Bishop's See; Doctor Charles Inglis to be Bishop, with ecclesiastical jurisdiction in the Provinces of Quebec and New Brunswick, and in the Island of Newfoundland. 27

September 14, Whitehall. Same to the same. Dispatches received, laid before the King and considered. Answers are made in their order. That the retention of the posts was held justifiable, and the conduct of the Americans has not changed that view. They must be put in a state of defence, and the expense is authorized. The treatment of the Indians has always been liberal, and considering that the security of the Province may depend on their conduct, the supplies may be augmented rather than leave them discontented. Should the Americans manage to seize the posts every endeavour must be made to regain possession of them. The proposal for the establishment of militia approved of; clothing will be sent early in Spring. It is not easy to secure seamen in England for the lake service, and even if it could be done, the state of Europe renders it advisable to secure their services on that side of the Atlantic. Has no

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doubt the officer commanding the King's ships will send such help as he can afford. The intention of America to apply for a sovereign of the House of Hanover has been circulated; should application be made, it would require nice consideration, but the idea of an alliance with the Bourbons should be discouraged. His Majesty's servants lament the differences of opinion in the Province regarding the laws and form of government; it is not the intention at present to change the constitution of the Province. The accusations by the Attorney General against the Court of Appeal and Judges of the Court of Common Pleas; when the investigation is complete, disapprobation to be marked on whoever is to blame. If the fine on Franchère can be remitted it should be done, as the conduct of the Grand Jury at Montreal was intemperate. His Majesty will be advised to make a change in the tenure of land in Quebec. Information to be sent respecting the proposed bounty on hemp, the price at which it could be imported into Britain, and the probable quantity. No further provisions can be granted to the new settlements; their religious concerns will be attended to. A decision will shortly be given respecting the ordinance on court houses and prisons. The forming any distinct commercial treaty with Vermont is out of the question. Encloses a report from the Lords of Trade which takes the same view as he (Dorchester) does respecting the intercourse by Lake Champlain; he may, therefore, make such laws as may be necessary on the subject, but not to permit the importation of foreign goods by this means, or the exportation of peltry into the States. Able medical assistance has been ordered by the Secretary of War to be sent to Canada. The measures for establishing a regular conveyance of letters approved of. The difficulty of keeping a regular line of packets to and from Halifax, but that line shall be attended to as often as packet boats can be spared. Page 28

Report from the Lords of Trade referred to in letter respecting the commercial communication with Vermont. 41

September 20, Whitehall. Sydney to Dorchester (private). The merchants trading to Quebec confine their representations to the want of gaols and officers to secure debtors; they hint that British commercial laws should take the place of the *Coutume de Paris*. The right of the Canadians to retain their laws, if they wish to do so. The disputes in the Legislative Council are disgusting, and Pownall's protest seems most extraordinary; some means must be found of stopping the animosity and personality. Further remarks on the same subject. The rights and opinions of the ancient inhabitants must be attended to in anything like a change of government, but there is no immediate intention to change the Quebec Act. 44

September 20, Whitehall. Same to the same (most secret and separate). The delicate and uncertain situation in Europe. Prussia has marched an army into Holland to enforce satisfaction for an insult to the Princess of Orange; France indicates a disposition to assist Holland; Britain is arming in case interference should be necessary. All parties profess to wish for a settlement by negotiation. As it is impossible to foresee the event, it is judged necessary to warn him (Dorchester). The Turks have declared war against the Russians; the Emperor may be forced to take part in it. 48

September 20, Whitehall. Same to the same. Encloses the opinion of the Attorney and Solicitor General on the law opinion advanced by the Chief Justice of Quebec. 50

(For opinion see 3rd August.)

October 3, Whitehall. Nepean to Dorchester. His letters cannot be answered by this conveyance, nor can a decision be obtained respecting the proposed change in the granting of lands, as Lord Hawkesbury cannot get the committee to meet in time. It is understood that Amherst is completing two

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battalions of the 60th, and it is proposed to complete the other two battalions from some part of the European continent. The expenses which a "certain person" has incurred shall be met; hopes his reports are satisfactory; he was reported to be a sensible man. Page 141

October 3, Quebec. Dorchester to Sydney (No. 36). Prince William Henry is well and, having seen the country as far as Montreal, is preparing to sail with the fleet under Commodore Sawyer; the "Thisbe" frigate has been ordered to winter at Quebec. Arrival of transports with 5th and 26th Regiments and first battalion of the 60th. The 29th, 31st and 34th, with some officers and men of the 4th battalion of Royal Artillery and invalids to embark for England, on board the ships whose names are given. 150

October 3, Quebec. Same to the same (No. 37). Finlay, sent to make arrangements in Nova Scotia and New Brunswick, has returned and reports having agreed with the Deputy Post Masters General there for the expense of foot messengers carrying letters. Six mails a year would pay the inland communication, and as each Province argues in favour of its own port, the mails might be sent to Halifax and St. John alternately till experience shows which shall have the preference. As soon as the roads shall be cut through and the new communication settled, horses could be employed; until then the communication by way of New York should also be maintained. To prevent disagreements the management of the post offices should be under one head; Finlay recommended for the position. 152

October 3, Quebec. Same to the same (No. 38). Report confirmed that American troops are in motion on the Ohio; a party under Harmer has arrived at Vincennes. The Indians alarmed and importunate for ammunition and the assistance of 100 men. The Spaniards urging the Indians to remove to their side of the Ohio. The Americans seem desirous to open by force the navigation of that river to the Bay of Mexico. 155

October 3, Quebec. Sydney to the Lord President of the Council, transmitting the draught of the additional instructions. 380

October 3, Whitehall. G. C. (George Chambers). Observations on the additional instructions to the Governor of Canada, strongly hostile to the proposal to grant the lands in free and common soccage, as tending too much towards independence. 382

October 24, Quebec. Dorchester to Sydney (No. 39). Sends naval officer's return of vessels entered and cleared at Quebec, between 1st July and 1st October; entered, 29; cleared, 40. 156

October 24, Quebec. Same to same (No. 40). Warrant received appointing Mr. Pollock to be Clerk of the Crown, with power to act by deputy, which has been carried into execution. 157

October 24, Quebec. Same to Nepean. That Adam Lymburner has been appointed by the merchants to proceed to England to support the petition for a House of Assembly. This step was suddenly taken up, partly on account of the privileges to Gregory, which, it was held, could not have been granted had there been a House of Assembly, partly to obtain some alteration in the commercial laws of the Province, and also to support the complaints against the administration of justice. Lymburner is a decent, sensible man, and has no hostile intentions to the Administration. 158

October 24, Quebec. Same to Sydney (No. 41). Proposal by Silas Deane for a canal round the falls of St. John's to Chambly Basin. The plan seems practicable; has recommended Deane to lay it before His Lordship. 160

October 24, Quebec. Same to the same (No. 42). Sends list of Protestant clergy. Temporary grants have been made at New Oswegatchie and Cornwall (late New Johnstown), with an intimation that they are only to continue till the settlers can support a clergyman. Mr. Bethune is a member of the

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Church of Scotland, who is to officate in the settlement where the people belong to the same Church. It was Haldimand's intention to appoint Mr. Bryan, Chaplain to Jessup's corps. Mr. Langhorne has £50 from the Society for the Propagation of the Gospel. There are other two, professing to be clergymen of the Church of England, but can recommend neither, for reasons given. The exemplary manners, discretion and abilities of Mr. Toosey cannot be passed in silence; he is recommended to notice. Sends also list of Protestant schoolmasters; many urgent applications have been made for more. Page 161

Table of Protestant clergy and schoolmasters. 165-166

October 24, Quebec. Dorchester to Sydney. That a memorial of Widow La Corne St. Luc, dated in 1784, was left in his hands by Haldimand, but not forwarded, owing to its date. A new memorial has been presented which he transmits for consideration. 167

Memorial (in French) from Madame La Corne St. Luc, stating the services of her late husband and praying for a pension. 168

October 26, St. James'. Order in Council that an additional instruction be sent to Lord Dorchester to allow of lands being granted in free and common soccage, such grants not to exceed 1,000 acres to any one person, without His Majesty's approbation previously obtained, and for the remission of the quit rent of thirty pence for every 100 acres, to each person not holding more than 1,000 acres; to provide also for a reserve of 5,000 acres in each township of 30,000 acres, and instructing the said Governor to propose to the Council the passing of a law enabling those holding lands *en roture*, with the consent of the seigniors, to change the tenure into one of free and common soccage. 374

The text of the instruction. 377

November 5, Quebec. Dorchester to Sydney. Sends information respecting the Decoing family, and the share of the patrimony to which Francis, now in the service of Spain, is entitled. 169

Letter from Mr. Derome, Curé at Charlesbourg, dated 19th September, to LeMaistre, and statement and letter, dated 28th September, from L. Deschenaux, Notary, Quebec (all in French), containing the necessary information respecting the Decoing family. 171-173-177

November 8, Quebec. Dorchester to Sydney (No. 43). Sends state and distribution of the troops in Canada. There are 2,000 troops extended 1,100 miles in ruinous forts, too weak to be defended against any respectable force. The necessity of relying on the Militia; sends return, as far as obtainable, but believed to be below the effective strength. The loyalists at the upper posts have offered, if they are attacked, to join the troops, and the Canadians about Detroit have promised the same. Has had offers from the loyalists above and below Cataraqui, but there is unfortunately dissatisfaction among them, which will remain till their lands are granted as he had recommended. Endeavours to excite disturbances have already been made with some success, and will increase as lands across the river are sold for a small sum. Urges at some length the unwisdom of maintaining a source of irritation, which will cause the loss of this Province, as it has done that of the others. The Provincials must have nothing to gain by separation. 178

Returns (two) of the Militia and of the troops in Quebec and the upper posts. 183

November 8, Whitehall. Sydney to Dorchester. The King is pleased at the marks of attachment shown to Prince William Henry; Levi Allen's proposal about masts &c, has been submitted to the Admiralty; arrangements for a supply have been made in other quarters. The citizens of the United States have no right by the treaty to fish in the St. Lawrence; it was judicious to treat those doing, so as he (Dorchester) had advised Coffin, but in future a different

1787.

course must be followed, respecting which instructions shall be sent. The dispatch relating to permission to Messrs. Gregory to import spirits into Nova Scotia has been referred to the Treasury. The case of Mr. Wood, whose successor, Thomson, filled a position in Georgia which he lost from his loyalty. He (Sydney) will do what he can to obtain some advantage for Wood. The intentions of the Americans towards the Indians do not call for further instructions. Arrangements respecting Finlay made by the Postmaster General. The instructions as to the tenure of land are under consideration. Page 143

November 8, Whitehall. Sydney to Dorchester. The conduct of Major Moncrief in stopping military expresses approved of. A monthly mail established between London and Halifax; all expresses to be under the post office agents, who are to be responsible. 148

November 9, Quebec. Dorchester to Sydney (No. 44). Sends list of licences issued to trade with the Indians. The whole trade to Niagara and Detroit and the returning peltries are carried in vessels owned and navigated by Government. The inconvenience of this system; recommends that merchants be allowed to carry in their own vessels. 184

Abstract of craft, men and goods licensed to trade with the Indians. 187

November 10, Quebec. Dorchester to Sydney (No. 45). Sends minutes of the Council of State from 1st of August to 9th November, and of Council concerning Crown lands from 1st of August to 30th October. 188

Minutes concerning Crown lands. 189

The same on State business. 199

November 10, Quebec. Dorchester to Sydney (No. 46). Resolutions of a Committee of West Indian Planters, concerning the duty on British West Indian rum, the distilleries in Canada and the duty on foreign molasses, received and referred to a Committee, whose report is enclosed, showing that the prevention of the importation of foreign molasses is not only prejudicial by suppressing distilleries but by giving the most decided advantage to the American States in the fisheries, Indian trade and smuggling of rum of their manufacture into the Provinces. There are four distilleries in the Province, that can distil annually 420,000 gallons, but have never distilled more in one year than 200,000; that rum from Jamaica is sold at nine pence, and from the other islands sixpence a gallon dearer than that distilled in the Province from foreign molasses. Reasons given why the duty at sixpence a gallon on West Indian rum should be taken off and the supply of timber and provisions to the West Indies confined to Great Britain and her colonies, and, to prevent smuggling, the duty of fourpence a gallon should be taken off foreign molasses. Encloses memorial from James Grant on the same subject. 226

Report of the Committee on the importation and distillation of foreign molasses, the substance of which is given in the preceding letter. The report gives the proceedings of the Committee in detail. 229

Memorial of James Grant concerning his distilleries. 248

Papers on the legal effects of the American Revolution on personal rights, &c.

1783.

February 25. Lloyd Kenyon to Mr. Power. Has no doubt that such Americans as are to be considered natural-born subjects of the realm prior to the acknowledgement of Independence continue still invested with the same right. 369

October 11, Chester. Opinion of the same, that since the United States of America have become independent, goods the produce of that country may be imported into the Kingdom from the place of growth, upon the payment of duties payable by foreigners and upon no other terms. 363

1784.
February 19, Opinion of Lloyd Kenyon, that an American born before the declaration of independence can be considered as a natural-born subject, and that such declaration does not affect his title to real estate in the Kingdom, the descent of which was caused between the declaration of independence and its acknowledgment by the British Government. Page 367

(Lloyd Kenyon, the writer of the preceding opinions, became Master of the Rolls, a position he held from 1784 to 1788, when he became Chief Justice of the King's Bench, an office he held until his death, in 1802.)

1785.
October 19, London. Dr. Wynn's opinion as to the right of Americans to obtain a British register for ships. He holds that since 1776 this right has not existed, as the purchase of a ship in any of the revolted colonies by a British subject since that period is illegal. 365

The following correspondence relates to George Cartwright's case respecting lands in Labrador:—

March 13, Poole. John Slade to George Cartwright. Has received his letter that Sandwich Bay has been sold by his assignees. The character of some of those interested. His (Cartwright's) knowledge of the coast and trade of Labrador; he could advise the Ministry on the subject. The government of the coast should be divided from Quebec, for reasons given. As he (Cartwright) intends to return to the coast, he hopes to be able to recommend him to have authority to administer justice there. 257

August 27, "Echo," Temple Bay. Captain Henry Nicholls to the same. Will represent to the Governor of Newfoundland and to Mr. Nepean, on his arrival, the hardships and discouragements to the fisheries and trade of Labrador from want of a government, and believes his (Cartwright's) plan is the best for this purpose. 285

1786.
January 1, Winbourne. Nathan Tory to the same. Returns his plan of regulations and laws to encourage the fishery on the coast of Labrador, of which he approves. The coast should be under the Government of Newfoundland, so as to check oppression. Hopes he will make the oppressors odious, and has no doubt he will do what he can for the benefit of the residents on the coast. Shall not himself sail for Labrador before the last of April, and supposes that that will be time enough for his (Cartwright's) goods and people; if not, he will send a vessel before then. 287

August 28, Brador. John Ross to the same. Approves of his plan for establishing a government on the Labrador coast. Nothing but the constant residence of a Governor can suppress the acts of violence on the coast. 259

(Ross was agent for Lymburner and Grant.)

October 5, Temple Bay. James Macy to N. Tory. He had been compelled by Pinson to abandon the bargain with him (Tory) on the threat of being ruined, &c. 282

1787.
January 4, London. Cartwright to Nepean. How his goods were disposed of after the appointment of assigness to settle his affairs; the course taken by Noble and Pinson to carry on the trade after having purchased his property; their illegal proceedings. Their plan to drive him off the coast, so that they may secure the whole Indian trade. Asks for a grant of Sandwich Bay. 274

February 7, London. Same to Sydney. Gives an account of his personal circumstances. Asks that some sort of civil establishment may be promoted on the coast of Labrador; can frame a plan for this purpose, and to remove all suspicion of his motives, asks only to be made principal justice of the peace, and that his partner, Collingham, be made another, but that no powers be given to Noble and Pinson, as they would make an impr- use of them. Asks for a grant of Jocuktoke Bay; only seals a-

1787.

are to be expected there; it is the residence of the Indians, with whom he has cultivated a friendship, and if he does not get the exclusive property they will soon be destroyed by debauchery. Does not know of any of His Majesty's subjects ever having visited it. The extent of the grant he asks for. The reasons which prevent this from being a monopoly, and why he should obtain the grant. Page 289

March 22, Marnham. Cartwright to Nepean. That the delay in making out the contract for the convicts endangers the sailing of the vessels without them. Requests him to order Akerman to pay him for the clothing which was to be supplied to the convicts. (Respecting the convicts, see Cartwright's Journals, 1792, Vol. III., p. 40.) 260

The case of Cartwright, from his leaving the 37th Regiment, in 1770, and going to Labrador, giving a summary of his proceedings, including those after his return there in 1785. 262

COURT OF COMMON PLEAS—1787.

Q. 29—1. Q. 29—2. Q. 29—3.

1787.

November 10, Quebec. Dorchester to Sydney, (No. 47.) In consequence of an address and petition an inquiry has been ordered to be made by the Chief Justice into charges relative to the Courts of Justice, and the conduct of Judges of the Court of Common Pleas. This was begun on the 11th of June and concluded on the 6th of November. Party spirit has exasperated the whole course of the proceedings. Has not had time to read a single paper, the proceedings having so lately closed. The Judges of Montreal did not appear either personally or by agents. Thinks it advisable to send the whole proceedings, as he learns that some are already sent by private hands to be used before Parliament. The Courts of Common Pleas for Quebec and Montreal have no connection with each other. Page 1

Schedule of papers in this case:

1. First report of the Chief Justice on the investigation, dated 21st October, 1787. 5

2. Abstract of days of sitting and proofs given on the same. 30

3. Second report of the Chief Justice on the investigation, dated 8th November, 1787. 43

4. Minutes and exhibits of the investigation. A schedule of the exhibits is given, beginning at p. 47 and ending at page 85. The minutes give the first proceedings, towards the investigation, beginning on the 23rd May, at page 86, giving the examination of the witnesses in detail. following the preliminary proceedings, order of reference, &c. (86 to 136). Interrogatories prescribed by Mabane, accepted by the Chief Justice, as those which the witnesses might be examined on (137 to 141). Witnesses, Lieut. Governor Hope (141 to 143), Colonel Caldwell (144 to 146), Robert Lester (146 to 148), James Grant (148 and 149), John Reid (149), Alexander Gray (150 to 185). Cross examination of Jenkin Williams (185 to 193.) Motion by Monk and accompanying documents and motion by judges (194 to 208). Correspondence as to the production of documents (209 to 211). Statement (in French) by Judge Panet (212 to 223), by Judge Mabane (224 to 237). Statement by Judge Fraser (239 to 244). Correspondence respecting the adjournment so that the holding of the term of court should not be prevented (246 to 251); further correspondence (252 to 255). Correspondence respecting the complaint of Judge Panet against Monk, Attorney General (256 to 263); further correspondence (263 to 269, and 270 to 272). Examina-

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tion of John Antrobus, of Quebec (272 to 284). Cross-examination of Antrobus (285 to 289). Examination of David Barklay (289 to 298). Examination of — Woolsey, of Quebec, merchant (299 to 303). Examination of William Grant (303 to 316). Examination of George Pownall (317 to 327). Examination of Daniel Gallwey (327 to Q. 29–2, p. 333)— Examination of — Diehl (333 to 342). Examination of George Allsopp (342 to 363). Examination of Constant Freeman (363 to 410). Motions to amend the minutes (411 to 413). Examination of—Goodall (413 to 429) accompanying document (to 433). Examination of Robert Willcocks (434 to 436). Examination of—Laing (436 to 440). Jones (441 to 449). Adam Lymburner (449 to 468). Examination of — Young, of Quebec (468 to 482). Examination of—Cameron (482 to 487). Cross-examination of John Justus Diehl (487 to 490). Re-examination of the same witness (491). Examination of Louis Marchand (493 to 530). Examination of Robert Lester (530 to 534). Examination of James Johnston, of Quebec (534 to 537). Examination of John Purss (537 to 539). Examination of John McCord, senr. (539 to 541). Examination of Thomas Walker (542 to 579). Examination of Robert Russell (580 to 698). Examination of John Pagan (Q. 29–3, pp. 700 to 702). Cross-examination of Wm. Goodall (702 to 707). Correspondence respecting the production of papers, &c. (709 to 714). Examination of William Lindsey (715 to 720). Examination of Mr. Panet, Clerk of Common Pleas (720 to 741). Examination of Mr. Lynd (741 to 783). Re-examination of Mr. Panet (784 to 790). Correspondence between the Judges of the Court of Common Pleas and the Chief Justice respecting the refusal to grant delay, or to remove the trial to Montreal for the charges connected with that district (791 to 793). Re-examiuation of David Lynd on special interrogatories (793 to 804). Answers of David Lynd (804 to 811) and of Louis Panet (811 to 815), to certain questions drawn up by the Chief Justice, and the answers of the latter to questions put by Monk (816). Motions of various kinds respecting procedure (817 to 832). Examination of Hugh Finlay (832 to 846). Motions and arguments respecting procedure (846 to 849). Cross-examination of James Tanswell, jun. (850 to 853). Cross-examination of John Antrobus (853 to 858). Cross-examination of Mr. Laing (858 to 861). Cross-examination of Constant Freeman (861 to 866). Cross-examination of Mr. Woolsey (866 to 869). Cross-examination of James Johnston (870 to 872). Cross-examination of John McCord, senr. (872 to 873). Cross-examination of Mr. Lester (873 to 879); of Mr. Lymburner (879 to 884). Correspondence respecting the course of procedure (885 to 888). Cross-examination of Simon Fraser, senr. (889 and 890). Cross-examination of Mr. Young (890 to 898). Cross-examination of Louis Marchand (898 to 901). Cross-examination of Mr. Lynd (901 to 921). Examination of Cholmly Duglas (921–922). Re-examination of Mr. Lynd (922 to 924). Examination of Louis Dumiere (925–926). Cross-examination of Mr. Russell (926 to 937). Cross-examination of Simon Fraser (937–938). Examination of James Grant (939 to 942). Examination of John Lees (942 to 946). Cross-examination of P. L. Panet (946 to 953). Schedules of the number of writs, lists of causes unfinished, &c. (955 to 962). Proceedings on the closing of the evidence (963 to 969). A paper entitled "Introduction to the observations which the Judges of the Court of Common Pleas for the District of Quebec are making upon the oral and written testimony adduced upon the investigation into the past administration of justice, ordered in consequence of an address from the Legislative Council" (970 to 1003). Schedule of cases brought before the Court of Common Pleas, A (1004–1005), B (1006), C (1007 to 1015). Order from the Governor in Council, to continue the investigation

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Friday next (1016–1017). Procedure thereupon (1018 to 1020). Further procedure and correspondence (1021 to 1026). Further examination of Andrew Cameron (1027–1028), of David Lynd (1028 to 1040) with lists of exhibits (1041 to 1052). Arguments on procedure (1053–1054). Examination of Isaac Man (1055–1056). Investigation closed (1056 to 1059).

COURT OF COMMON PLEAS—1787.

Q. 30—1. Q. 30—2. Q. 30—3.

1787.

Continuation of the proceedings in the investigation respecting the Court of Common Pleas, 1787.

Proceedings at Montreal, begun on the 4th September, 1787. Formal opening and lists of exhibits (1 to 27). Correspondence, motions, &c. (28 to 34). Examination of Mr. Le Pailleur, with objections to his evidence, &c. (34 to 50). Examination of François Viger (50 to 60). Examination of Jean Normand (60 to 76). Examination of P. Guy (77 to 98). Examination of Richard Dobie (98 to 107). Pierre Foretier (107 to 114). Philippe de Rocheblave (114 to 118). Examination of John McKinlay (118 to 131). Procedure and documents (133 to 137). Examination of John Delisle (137–138). Examination of J. F. Perrault (138–139). Examination of Thomas McCord (140–141). John Burke (141 to 152). Examination of Maurice Blondeau (152 to 154). Examination of Joseph Papineau (154 to 167). Examination of Isaac Todd (168). Examination of Alexander Hay (168 to 170). Reserved answers now given by LePailleur (172 to 175), of John Burke (175 to 179) and of John Reid (179 to 185). These three witnesses were clerks of the court, their evidence being to show the system of registering and preserving documents. Special questions to LePailleur (185 to 191), to Mr. Burke (191 to 194). Examination of Alex. Auldjo (195-196). Examination of Thomas Forsyth (197-198). Examination of Gaspard Massue (198 to 202). Examination of James McGill (202 to 212). Further examination of Richard Dobie (212). Examination of Alexander Serres, surgeon (212 to 218). Examination of John Burke on questions 8 to 22, inclusive (219 to 233). Examination of Alexander Henry (234 to 237). Examination of William Taylor (237 to 248). Examination of Joseph Perinault (248-249). Examination of Uriah Judah (249 to 251). Examination of Pierre Charlebois (251 to 256). Pierre Jacques Archambault (256 to 259). Examination of Antoine LaRoque (259 to 262). Further examination of Burke from question 23 to 53, inclusive (262 to 295). The same of Le Pailleur from question 22 to 52, inclusive (295 to Q. 30–2, p. 306). Continuation of Le Pailleur's evidence from 53 to 66, inclusive (309 to 315). The same of John Burke from 54 to 61, inclusive (315 to 322). Evidence of John Grant (322-323). Examination of Daniel Sutherland (323-324). Examination of Joseph Frobisher (324-325). Examination of Dumas St. Martin (325 to 327). Examination of James Dunlop (327 to 333). Examination of Pierre Bouthillier (333 to 335). Examination of John Bell (335 to 337). Examination of John McGill (337-338). Examination of Edward W. Gray (338 to 349). Further examination of Richard Dobie (349 to 353). Further examination of John Reid (353 to 357). Examination of Robert Cruikshank (357-358). Examination of William Dummer Powell (359 to 427). Examination of Joseph Howard (428 to 430). J. B. Imbaut *dit* Matha (430 to 434). Examin-

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ation of Robert Henderson (434 to 436). Motion by De Bonne and questions framed thereon to be answered by the clerks of the court (436 to 442). Examination of George Young (442 to 449). Affidavit by Thomas Forsyth (449 to 452). Answers to the questions framed on De Bonne's motion, delivered in writing by Le Pailleur, and his further examination (453 to 459). Answers to the same by Burke (459-460). Documents delivered by John Reid, acting clerk of the Common Pleas, Montreal (460 to 464). Examination of James Walker (464 to 535). Examination of Jacob Kuhn (536 to 540). Further examination of Robert Henderson (540-541). Examination of Louis Foucher (541 to 545). Letter from John Reid, explaining part of his evidence (546 to 548). Examination of Arthur Davidson (548 to 588). Further examination of James Walker ((589 to 614). Additional questions to Louis Foucher (Q. 30-3, pp. 615 to 618). Further examination of John Burke (618 to 627). Questions to be answered by Le Pailleur and Reid, and their answers (627 to 630). Examination of Le Pailleur and Foucher, whose answers are the same (630 to 636), and of Le Pailleur alone (636 to 638). Paper filed by Mr. Reid (entered at p. 685). Continued examination of Mr. Davidson from interrogatories 23 to 41, inclusive (638 to 668). Further examination of Walker from interrogatory 29 to 40, inclusive (668 to 684). Further examination of Burke (687 to 694). Questions put to and answers given by persons present at the examination of Burke to meet the charge of De Bonne (p. 693) that the answers were not his own, but were dictated to him (694 to 701). De Bonne's answer and motion (701 to 703). Further examination of Louis Foucher (704 to 713). Further examination of John Reid (713-714-712). Continued examination of James Walker (712, 715 to 732). Schedules containing list of causes before the Court of Common Pleas, Montreal, referred to in Reid's answer to the 4th interrogatory (734 to 751). Further examination of Le Pailleur and Louis Foucher. A note says: "The same questions were answered by both these witnesses" (752 to 754). Further examination of John Reid (754 to 756). Further examination of Walker (756 to 765). Further examination of Davidson (765 to 801). Exhibits 59 to 68 produced on the investigation on the part of the Judges of the Court of Common Pleas, consisting of miscellaneous documents (802 to 828, and 831 to 914). Among the other papers are documents relating to the suit against Cochrane, agent for the remitters.

COURT OF COMMON PLEAS—1787.

Q. 31-1. Q. 31-2.

1787. Continuation of the proceedings in the investigation respecting the Court of Common Pleas, 1787.

Exhibits (69 to 124) produced on the investigation on the part of the Judges of the Court of Common Pleas (1 to 183). These contain lists of cases, judgments, correspondence and miscellaneous papers. Document entitled: "General supplemental observations by the Judges of Common Pleas for the district of Quebec, upon the evidence adduced at the investigation respecting the administration of justice, ordered in consequence of the address of the Legislative Council" (184 to 297). The observations take up the evidence given by the witnesses in detail. Further supplemental observations on the written evidence and of the delay, leaving them insufficient time to consider all the documents.

1787.

(Q. 31-2, p. 298 to 318). The minutes referred to in the supplemental observations (319 to 322). Extracts of records, beginning on the 13th August, 1776 (323 to 380). These give a summary of cases and judgments to the 24th February, 1787. Appendix No. 1, with the title, "Contrast of Costs." It is a list of cases, with the amount, judgment and costs (382 to 388). Abstract of judgments (389 to 410). "Brief state of, with remarks on evidence offered to the Honourable the Chief Justice upon complaints on the part of the commerce and others, touching the past administration of justice in the Province" (411 to 451). Appendix No. 2, "Records of the Court of Common Pleas for the District of Quebec" (452 to 461). "Brief state of, with remarks on the evidence offered, &c., respecting the administration of the laws in the Court of Common Pleas for the District of Montreal" (462 to 501), and "General Remarks" (502-503). The two immediately preceding papers are signed "Chas. Thomas, Secretary." "Reply to the introduction to observations made by the Judges of the Court of Common Pleas of the district of Quebec upon the oral and written testimony adduced upon the investigation" (504 to 510). "Remarks on the memorial accompanying the Judges' observations" (511 to 515). "Reply on the part of the commerce and others to observations made by the Judges of the district of Quebec on the oral and written evidence adduced during the investigation" (516 to 533, which are preliminary). "Reply to observations on the evidence" (533 to 581). "On the Records" (581 to 587). "Reply to Supplement" (587 to 594)."

COURT OF COMMON PLEAS—1787.

Q. 32.

1787.

Continuation of the proceedings in the investigation respecting the Court of Common Pleas, 1787.

Papers fyled by the counsel for the commerce, Nos. 131 to 145. 1 to 72.

These are chiefly extracts from the Journals of Council. The same from 146 to 213, being edicts, ordinances and commissions, pleadings and judgements. 73 to 458.

COURT OF COMMON PLEAS—1787.

Q. 33-1. Q. 33-2.

1787.

Continuation of the proceedings in the investigation respecting the Court of Common Pleas, 1787.

Montreal papers, 214 to 282. Peters *vs.* Blake (2 to 16.) Jacob Cohen *vs.* Levy Solomons (17 to 30). Dunlop *vs.* Mackenzie (32 to 47). Aird *vs.* Chaumont (49 to 66). Graham *vs.* Parke & Co, Detroit (68 to 93). Richard Dobie *vs.* Samuel Adams (95 to 115). Antoine Berthe et sa femme *vs.* Alex. Henry (117 to 140). Lyndsay *vs.* Papin (142 to 172), and Howard *vs.* Mabbutt (174 to 231). Dunlop *vs.* Mackenzie on the title. on the documents the case is entitled: James Dunlop of Montreal *vs.* William Grant, late of Michilimakinak, now of Montreal (233 to 281). Records from the Court of Common Pleas of Montreal containing short statements of cases (Q 33—2, p 288 to 575).

COURT OF COMMON PLEAS—1787.

Q. 34–1. Q. 34–2.

1787.

Continuation of the proceedings in the investigations respecting the Court of Common Pleas, 1787.

Records from the Court of Common Pleas at Montreal, continued: Miscellaneous cases (2 to 139). For the district of Quebec: miscellaneous cases (140 to Q. 34—2, p. 472). Written evidence on behalf of the commerce (473 to 573).

May 1, Quebec. Memorial of the Judges of the Courts of Common Pleas for the districts of Quebec and Montreal, dated 1st May, 1787, signed by A. Mabane, J. Fraser and Pierre Panet. Page 514

September 1, Quebec. Memorial from the Judges of the Court of Common Pleas of Quebec. 517

October 13, Quebec. Memorial of the Judges of the Court of Common Pleas of Montreal, respecting the proceedings at the investigation. Signed by Alex. Gray, as their attorney. 535

October 16, Quebec. The Judges of the Court of Common Pleas, Quebec, to Dorchester. State the impossibility of reading the evidence and preparing observations thereon. Delay refused by the Chief Justice. Appeal to him (Dorchester) for the necessary time to complete their observations, &c. 527

Minute concerning the delay asked for from the Chief Justice. (Enclosed.) 529

October 16, Quebec. Henry Motz to the Judges. That the Chief Justice has full power to grant delay, and that Lord Dorchester cannot give any particular directions as to the delay asked for. 531

October 30, Quebec. Memorial from the judges to Dorchester. That they have always been prepared to meet the charges brought against them. 533

PETITIONS, MINUTES OF COUNCIL, &C.—1788.

Q. 35.

1787.

August 13, Quebec. Report of Committee, that a patent may issue for lands ordered to be granted to John Shoolbred on the Bay of Chaleurs on certain conditions. Page 403

October 15, Quebec. Report of Committee concerning the new town of Sorel, now called William Henry. How the lots have been apportioned. It is recommended that no annual rents or mutation fines should be taken for at least ten years; after that term the same rents, &c., should be exacted as before the Seigniory was purchased by His Majesty. How the lots still unappropriated should be disposed of. Three lots of 250 feet front by 600 feet depth have been laid out on the west side of the Sorel, opposite to William Henry, for ship builders' yards. 397

Grant dissents in so far as respects the annual rents and mutation fines which he considers should not be at any time exacted from the grantees in Sorel. 401

December 10, Quebec. Dorchester to Sydney (No. 48). That in reference to the proposed grant of the Jesuit Estates to Lord Amherst, a petition has been presented stating that the greater part of these estates originated from private donations, made for the express purpose of educating youth, and the same should be considered as the property of the public, not to be diverted from that object, and praying that the said estates should be applied for the support of a college, which is very much needed.

1787.
December 10, Quebec. Dorchester to Sydney (No. 49). That Captain Isaac Coffin has applied for a grant of the Magdalen Islands for the purpose of carrying on a fishery. The services of Coffin; the advantage of making the grant to check illicit trade from these islands, &c. The lands have been granted, subject to His Majesty's pleasure. Page 3

December 10, Quebec. Motz to Nepean. That original papers respecting the investigation relative to the courts of justice had been sent by mistake of the Clerk of the Council. As no copy is in possession of Government here, he asks that the papers be returned; list of documents is sent. 5

List referred to. There are two bundles, the documents in one, from 1 to 25, refer to the district of Quebec; the second from 26 to 45, those respecting the district of Montreal. 7

1788.
January 9, Quebec. Dorchester to Sydney (No. 50). Dispatches received. To prevent the altercation which prevailed at the last meeting of Council, he has appointed committees to prepare draughts of ordinances and will not call the Legislative Council till late. Reports of the Chief Justice and documents sent, including originals, sent by mistake. Sends translation of petition and memorial concerning the estates formerly held by the Jesuits. Has not yet been able to procure information concerning the cultivation of hemp; shall do so as soon as possible. 62

Petition (translation) referred to in letter. 64

Document entituled: "Case, stating the rights which the Canadians have to be educated in the college at Quebec, out of the estates belonging to it, in support of their petition to the Right Hon. Lord Dorchester." 67

The case is divided into three parts: 1. Proofs of the foundation and property of the college of Quebec, and an enumeration of the estates destined from the first establishment of this country for the education of the Canadians. These proofs are historical and legal, and a list is, besides, given of the donations. 70 to 106

2. The principal causes that have deprived the Canadians of their education in the college of Quebec since the Conquest. 106 to 110

3. Means proposed as just and the most speedy to restore to the Canadians their education by means of their college, and its advantages. The case sets out, under this head, that it was the citizens and inhabitants of Canada who formed the true corporation, having the property, "although the Jesuits, as professors or managers, had the simple possession of it to fulfil the charge of education, and none being more interested therein than fathers of families, who are the true proprietors of land in this country, they ought to have the necessary and inseparable attributes of a corporation." This point is elaborated, and it is prayed that a proper number should be elected by an assembly called for the purpose, to represent the holders of lands and heads of families as directors or managers of the college and its estates. 110 to 116

January 9, Quebec. Dorchester to Sydney (No. 51). Has sent circulars to the Lieutenant Governors, the object being to show the people the necessity for standing forward in their own defence. The militia should be put on the most respectable footing possible. The want of small arms; recommends that 30,000 be sent, namely, 20,000 for Quebec and 5,000 each for Nova Scotia and New Brunswick. In the present state of the militia, regular troops must be sent to secure the safety of the King's provinces, and a considerable reinforcement should be sent to Quebec and Halifax in case of a war. The present force is totally incompetent for defence, for reasons given. 118

January 9, Quebec. The same to Commanders in Nova Scotia and New Brunswick. Circular respecting the raising of militia for the defence of the respective provinces. 122

1788.
January 9, Quebec. Dorchester to Parr. Respecting the raising of militia. Page 124

January 9, Quebec. The same to Sydney (private). That he would take an early opportunity to answer His Lordship's private letter of 20th September. 126

January 9, Quebec. The same to the same (No. 52). Recommending Mr. Juchereau Duchesnay to succeed the late Mr. Levesque in the Council. 127

January 9, Quebec. The same to the same (No. 53). Sends minutes of Council on State business, from 10th November to 31st December last, and on Crown lands from 31st October to the same date. 128

Minutes on State business, chiefly relating to the accounts and financial condition of the Province. 129 to 264

Minutes of Council respecting Crown lands, including Coffin's application for the Magdalen Islands, &c. 265 to 273

January 9, Quebec. Dorchester to Sydney (No. 54). Encloses Sir John Johnson's requisition for goods to assort the presents for the Indians, with other documents. 274

Requisition. 275

Report of survey. 279

January 10, Quebec. Dorchester to Nepean (private). To ask Lord Sydney to lay before the King his petition for an ensigncy for his eldest son, Guy Carleton. 281

January 25, Quebec. Minutes of Council concerning Crown lands from the 1st to 25th January. Report on Sorel (see 15th October, 1787); on Shoolbred's claim (see 13th August). Report on miscellaneous claims for land; recommendation as to granting lands to loyalists on Missisquoi Bay and the general principle on which such grants should be made. 397–414

February 7, Quebec. Dorchester to Sydney (No. 55). Sends naval officer's return of vessels inwards and outwards at Quebec. 282

February 7, Quebec. The same to the same (No. 56). Sends copy of the minutes of Council on State business and those on Crown lands being from the 1st to the 25th January. 283

Minutes of State business. Almost altogether taken up with the inquiry as to where the blame lay for the mistake in sending off originals of evidence, &c., in the investigation as to the administration of justice. 284–396

March 3, Quebec. Dorchester to Sydney (No. 57). Sends minutes of Council respecting State business from 26th January to 14th February. 415

The minutes deal almost exclusively with the establishment of courts for the trial of small causes. Memorial of de Lanaudière to change the tenure of his seigniory into that of free and common soccage. 416

March 6, Whitehall. Sydney to Dorchester. Sends memorial by Binney, late superintendent of Trade and Fisheries and deputy collector of Customs at Canso, with affidavits, against the censure pronounced on him by the Assembly of Nova Scotia, for permitting illegal commerce at Canso. The reports that led to his being superseded and the extraordinary proceedings of the Assembly which declared him innocent. A strict investigation to be made into Binney's conduct as well as into that of Chipman and Sherlock. An inquiry has been made at Lisbon respecting the clearance of the United States ship "America" which Binney flatly denies having given. 10

March 11, London. Robert Hunter to Sydney. Sends petitions from English and French inhabitants of Canada, asking that they be presented to the King. 13

Petition of the old and new subjects of the Province of Quebec (in French). 14

The same in English. (The names attached to each petition are all given.) 38

1788.
March 15, Whitehall. Sydney to Dorchester. To obtain at the desire of the Marquis de Luzerne, certain proofs respecting one André François Odelin. Page 54

Letter from de Luzerne to Sydney, asking His Lordship to obtain the information wanted, as stated in a memorandum accompanying the letter. 55

Memorandum, entitled: "Instructions concernant des actes de notoriété à obtenir a Montréal en Canada." 56

March 15, Whitehall. Nepean to Motz. That the originals asked for (pp. 5 and 7) have been found and are to be sent by the "Dido" frigate. 59

March 17, Whitehall. Sydney to Dorchester. That the reports of the Chief Justice and the voluminous papers respecting the investigation of the conduct of the inferior judges, are under consideration by the Crown lawyers. Hopes to send the result by the first trading vessels. 60

March 27, Quebec. Dorchester to Sydney (No. 58). His satisfaction at the returning prospect of peace. During the winter nothing was done to construct defensive works, except at Detroit. A considerable expense is necessary to finish the work at the citadel and to repair the works at Quebec. 430

MINUTES OF COUNCIL—1788.

Q. 36—1.

1787.
July 13, Ordinance for the government of the territory of the United States, north-west of the River Ohio. Page 258

December 23, Pittsburg. Speech to the chiefs, &c., of the Huron or Wyandot Nation, signed Richard Butler and Arthur St. Clair. Enclosed in Dorchester's letter (p. 255) of 9th June, 1788. 274

1788.
February 16, Whitehall. Nepean to John Hunter. That Lord Sydney will be prevented meeting the committee of Quebec merchants. He (Hunter) is requested to call on Nepean. 1

February 17, Whitehall. Substance of message sent to committee of merchants by Lord Sydney, in expectation of not meeting them, as arranged. In addition to his being prevented by other engagements; that he was not prepared to state the determination on the subject in their application; that the papers from Quebec were under consideration; that Government expected further information from Dorchester respecting a House of Assembly. Government is not pledged to support any petition to Parliament from the merchants. 3

The message was sent in a letter from Nepean to Hunter, dated 21st February. 2

March 27, Quebec. Dorchester to Sydney (No. 59). Encloses minutes of Council on State business. 5

Minutes dealing almost exclusively with the public accounts, each branch of the revenue being minutely reported on. 6 to 196

April 12, Quebec. Dorchester to Sydney (No. 60). Sends minutes of Council on Crown lands. 197

Minutes of Council concerning Crown lands, from the 26th January to 20th March. 198 to 234

May 17, Quebec. Dorchester to Sydney (No. 61). Sends ordinances and Journal of the last session of the Legislative Council. 235

May 17, Quebec. The same to the same (No. 62). Sends copy of a lease between the Six Nations and some Americans, by which the former make over all their country, with inconsiderable reservations, for 999 years, from the 45th degree on the south banks of the St. Lawrence, Lake Ontario, and a considerable way up Lake Erie. The land on the St. Lawrence and

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part of Lake Ontario, has already been disposed of by New York, and roads are in process of construction from Lake Champlain. Besides these pacific measures, Congress is raising troops and forming magazines at various posts in the western country. These measures clearly evince the necessity of advancing the western settlements of the Province, and of securing the attachment of the planters. Page 237

The copy of the lease between the Indians and Americans referred to in the letter. 239

May 17, Quebec. Dorchester to Sydney (No. 63). The Act for regulating inland commerce was passed at the last session of the Council. The difficulty, if not impossibility, of preventing smuggling; the chief articles which afford inducements to smuggling. 244

May 17, Quebec. The same to the same (No. 64). Respecting the lighting of the St. Lawrence for navigation; its necessity; the expense has deterred the Council from placing a lighthouse on Green Island. 247

May 17, Quebec. The same to the same (No. 65). Sir John Johnson has recommended Lieut. Claus to succeed his late father as deputy agent of Indian affairs. Cannot recommend this on account of his youth. The salary of Colonel Claus shall be continued to his widow, the eldest daughter of Sir William Johnson; the services of her father and husband. 249

May 29, Quebec. Proceedings of a special meeting of Council on the question of the method of proceeding to trial for murders committed outside the limits, &c., with the arguments. (Enclosed in Dorchester's letter of 9th June, p. 276.) 280

June 9, Quebec. Dorchester to Sydney (No. 66). The report of a confidential person confirms the account of the perseverance of the Americans in settling the Indian country. Encloses copy of ordinance by Congress for the government of the territory north-west of the Ohio, the objects being the peopling and dominion of the country between the Ohio, Mississippi and Great Lakes. Sinclair (St. Clair) who commanded at Ticonderoga in 1777, has been made governor. Where troops are stationed. Message sent by the Americans to the Indians to meet for a general treaty of peace. It is doubtful if the Indians will be ready. The settlers about Detroit have shown great alacrity in providing for defence. The Six Nations declare that the lease to the Americans (p. 239) was signed without authority, that the Governor of New York has declared it illegal, forbidding any of the subjects of New York from taking possession of the lands. So far as regards the King's interests the effect will be the same, whether it is in the hands of the New York Government or of individuals. 251

Enclosed. Instructions to the confidential person (not named) referred to in letter. 255

Ordinance for the Government of the territory of the United States, north-west of the River Ohio, dated 13th July, 1787. 258

Speech to the Chiefs of the Huron or Wyandot Nation, signed by Richard Butler and Arthur St. Clair dated at Pittsburg, 23rd December, 1787. 274

June 9, Quebec. Dorchester to Sydney (No. 67). Doubts as to the extent of jurisdiction of the courts of law in Quebec over territories on the southern frontier; included are the territory on Lake Champlain to Pointe au Fer; the settlement within and without the fort on the east side of the river Niagara, that on the west side of the river at Detroit and that at Michillimakinak. The settlers in all these cases desire the full benefit of British laws; the growing necessity for extending this; asks instructions. In the case of murder beyond the limits, he will issue a special commission for the trial, without regard to the scruples of members of the Council, except that in case of condemnation, he shall grant a reprieve till His Majesty's pleasure be known. Difficulty with respect to the trial of

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those charged with murder in the North-West, owing to the indefinite boundaries of the Hudson Bay Co. Page 276

June 9, Quebec. Dorchester to Sydney (No. 68). Sends minutes of Council on State business. 310

MINUTES OF COUNCIL.

Q. 36—2.

1787.
December 16. Quebec. Major Skene to his father. Respecting Levi Allen's mission to arrange for commercial intercourse between Vermont and Canada. War between the Americans and Indians in the upper country. Congress does not avow the intention to make the war general, but is raising levies. Page 481

1788.
January 15, Quebec. Same to the same. (The letter is dated 1787, but by modern usage is 1788.) The Council busy with plans for the better Government of Canada. What some of these are. No accounts from the upper country of further incursions. Levi Allen is a brother of Ethan. 482

April 14, Quebec. Minutes of Council on State business, from 26th February to date. Chiefly a continuation of the examination of accounts, more especially those relating to the Customs. 311 to 341

April 17, Quebec. Ordinances passed in 28th George III. 495 to 617

May 6, Sydney, C.B. Lieut.-Governor Macarmick to Dorchester. Respecting the suspension of Chief Justice Gibbons. (See after Dorchester's letter of the 10th July.) 456

June 9, Quebec. Dorchester to Sydney (No. 69). Dispatches received. The "Dido" frigate has arrived at Halifax. 342

June 9, Quebec. Same to Nepean. Arrival of the Marquis de Choppedelaine on his travels, bringing letters of introduction from Mr. Bond and Sir John Temple. The state of the country makes such visits embarrassing; asks that they be discouraged. 343

June 9, Quebec. Same to same. Sends copy of instructions to William Tryon, Governor of New York (dated 3rd April, 1775), respecting grants of land for officers and men of the late 84th Regiment. As the instructions differ in some respects from those sent to him on the same subject, desires to know if the copy he sends is authentic. 344

Instructions follow. 345

June 14, Quebec. Dorchester to Sydney (No. 70). Sends minutes of Council on Crown lands from 21st March to 8th May. 353

Minutes referred to, with reports on applications, discussions, &c. 354 to 410

June 14, Quebec. Dorchester to Sydney (No. 71). Has given leave of absence to Brigadier Hope. 411

June 14, Quebec. Motz to Nepean. That John Rogers, the man inquired for, left Quebec in the year 1783, in a small vessel for the Bay of Chaleurs, which was wrecked and he has not been heard of since. Legal evidence shall be obtained of the facts. 412

July 1, Quebec. Memorial by Chief Justice Gibbons. (See after Dorchester's letter of 10th July.) 461

July 6, Quebec. Dorchester to Macarmick. Respecting the suspension of Chief Justice Gibbons. (See after Dorchester's letter of 10th July.) 459

July 10, Quebec. Dorchester to Sydney (No. 72). The increasing population of the Province has rendered additional districts necessary for the administration of justice. It has been found expedient to make seven districts. The difficulty of finding proper officers for the two courts in each dis-

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trict. At Gaspé and Bay of Chaleurs a judge at £100 and a sheriff at £20, have been appointed for some years past. There will be little trouble, he believes, in the settlements West of Montreal. In Detroit the large Indian trade and the mixture of Canadians and British make the cases more complicated, so that the officers would require more talent. The difficulties as to the cases arising out of the limits of the Province as well as at Niagara and Detroit will still remain. Will establish, as soon as advisable, courts for small causes. The improvement that might follow the introduction of a Supreme Court of Common Pleas with original jurisdiction, and holding Circuit Courts in the different districts. Page 413

July 10, Quebec. Dorchester to Sydney (No. 73). Has received instructions, &c., for the superintendents of inland navigation. Five have been appointed, namely, at Kingston or Cataraqui, Niagara, Fort Erie, Detroit and Michillimakinak. 418

Ordinance to authorize the appointments. 419

Form of instructions. 422

Forms of commission and other papers. 426 to 432

July 10, Quebec. Dorchester to Sydney (No. 74). Encloses report from person mentioned in his letter, No. 66 (p. 251). 433

The report (dated 4th June) says that he has a prospect of opening a friendly communication with the inhabitants of the Ohio, but the depredations of the Indians prevent this open communication and the attention given to the new constitution by people from the foot of the Laurel Hill to the western extremity of Pennsylvania prevents agitation respecting the Mississippi. Large emigration to Kentucky, apparently with a view to separate from the new Federal Government, as they seem to wish for independence and for a free passage by the Mississippi to the ocean. Congress has ceded to Connecticut 120 miles West from the western limits of Pennsylvania. Gentlemen from Connecticut at Pittsburg to form a new settlement at Muskingum, and preparations are making at Red Stone. A son of General Putnam is at the head of the adventurers. General Parsons has made advances that may prove favourable towards commercial intercourse between Great Britain and the rising settlements; in fact the interest of all the Ohio leads them to insist on free entrance to the Bay of Mexico and to solicit British trade. He has been strongly invited to go to Fort Pitt; a short visit might do good. Great preparation is making for the expected treaty; McKee is at the Miamis; he has entire influence over the Western tribes. Asks for His Lordship's pleasure as to visiting Pittsburg and Virginia to receive propositions from men of character and to influence the press. Concerning expenses. Encloses letters, one from the Auditor General of the Middle Department, the other from General Neill, showing the footing on which he placed the first advances. 434

July 10, Quebec. Dorchester to Sydney (No. 75). Respecting the cultivation of hemp. The soil and climate favourable, but the culture too little attended to in either Province to form an opinion as to the encouragement necessary or as to the quantity that could be raised or its price. Premiums offered for its culture in Nova Scotia during 1788. It is the belief there that the bounty should be renewed to promote its importation into Great Britain. 439

July 10, Quebec. Same to same (No. 76). Encloses minutes of Council on State business, including report on the claims of Monk, Attorney-General, with remarks on certain parts of the report. The imperfection of the present system of auditing the accounts by committees of Council; the tendency to swell the expenditure. 441

1788.

July 10, Quebec. Dorchester to Sydney (No. 77). Sends minutes of Council concerning Crown lands. Page 444

July 10, Quebec. Same to same (No. 78). Death of Mgr. Desglis; Mgr. Hubert, coadjutor, succeeds him. He (Dorchester) has named Charles François Bailly as coadjutor. 445

July 10, Quebec. Motz to Nepean. Returns papers which had been sent back. They are found to be no part of the original papers asked to be returned but are part of the written evidence on behalf of the commerce of which copies only were sent. 446

July 10, Quebec. Dorchester to Sydney. Mr. Gibbons, Chief Justice of Cape Breton, has applied for relief from his suspension from office by the Lieutenant Governor; the question having been brought by these two gentlemen before His Lordship he has declined to interfere. Encloses copies of the correspondence. 455

Lieutenant Governor Macarmick, Sydney, Cape Breton, dated 6th May, 1788, to Dorchester, transmitting minutes of the Council of Cape Breton, with the reasons for the suspension of Chief Justice Gibbons from his office. His own convictions of the propriety of the suspension, and belief that peace and quietness could never be restored whilst Gibbons was suffered to have influence. He had on his (Macarmick's) arrival, restored the Chief Justice to his seat at the Council Board, which was objected to by those who knew his violent disposition, but it was done with a view to reunite all parties in the general service of the island, and having filled up the various offices he flattered himself he had rendered the government respectable and effectual; he little imagined that Gibbons would be satisfied with nothing short of entire influence, or that he would combine with disappointed men of the lowest order. He has submitted the whole case to the King. Will reserve explanations till he (Dorchester) visits the island. 456

Answer by Dorchester, dated 6th July, that Gibbons is in Quebec, but that as the matter had been submitted to the King, he (Dorchester) had declined to interfere. The measure, a strong one in the case of a person holding an office of so much consideration, &c. 459

Memorial of Richard Gibbons, Chief Justice of Cape Breton, requesting a certificate to enable him to draw his salary and a further certificate that he had laid his case before him (Dorchester). 461

July 12, Exeter. Henry Hope to (Nepean?). Announcing his arrival; explaining why he did not take charge of the dispatches; his desire to return to Quebec this season, &c. 349

July 16, Quebec. Same to same (No. 79). Encloses letter from Ethan Allen respecting the affairs of Vermont, he with his two brothers, having come to Quebec on that business. Can conceive the alarm at the proposed federal constitution and the agitation in the minds of the people of the United States respecting a measure of such importance, but has had no information on the subject since the return of Major Beckwith in April, 1787. 447

July 16, Quebec. Ethan Allen to Dorchester. Points out the reciprocal interest of Great Britain and Vermont, the jealousy of the United States and the threat to subjugate Vermont, the reason being the contiguity of that State to Canada and the natural inclination their situation gives them to the British interest. The objection of Vermont to join the United States is increased by the feeling that it would expose them to the displeasure of Great Britain, ruin their commerce, involve them in debt, if not insolvency "and in the broils of those States relative to their Federal Government, concerning which they are probably as much divided and subdivided as can well be conceived." Their differences owing to diversities of climate, &c. Their licentious notions of liberty imbibed in the course of the revolution, operate against their uniting in a Confederate

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Government. Yet there must be some government which may be adopted after much strife and confusion, but it would be opposed by large minorities, Whig and Tory, which must make it weak, and consequently, render it difficult for the United States to subjugate Vermont, which could bring 15,000 effective men into the field, more than equal to a like number of United States troops, especially in defending themselves against the usurpation of those States. Besides, the relationship of people in the other States with those of Vermont, would prevent these troops from taking the field against her, and incline them to take her part; these with Anti-federalists and Vermonters might crush the Federal Government. Vermont, small at first sight, has a heavy influence in American politics and may turn the scale; so that she is well worth the attention of Great Britain. The immigration, too, adds to her strength as the people who come from the United States do so to obtain land and escape exorbitant taxation and will unite in rejecting every idea of a Confederation; property, not liberty, is their main object. Should an appeal to arms be made, warlike stores could be obtained from Quebec. As to the mode of continuing to obtain favour from Great Britain, probably General Haldimand's plan would still be the best. During the last three years of the war, matters were so arranged that, practically, there was an alliance of neutrality of which the United States could not take advantage. Something of the same kind in the way of commercial intercourse might be done now, such alterations of the policy being made as to suit further emergencies. "In the time of General Haldimand's command, could Great Britain have afforded Vermont protection, they would readily have yielded up their independence and have become a province of Great Britain. And should the United States attempt a conquest of them, they would, I presume, do the same, should the British policy harmonize with it. For the leading men in Vermont are not sentimentally attached to a republican form of Government, yet from political principles are determined to maintain their present mode of it, till they can have a better, and expect to be able to do it, at least, as long as the United States will be able to maintain theirs, or until they can on principles of mutual interest and advantage, return to the British Goverment, without war or annoyance from the United States." His reason for writing. Page 448

July 16, Quebec. Motz to Nepean. Sends two affidavits respecting the late John Rogers. 484

Two affidavits that Rogers was employed in Quebec, and that he was drowned by the wreck of a vessel in the Bay of Chaleurs. 485–489

July 27, Quebec. Motz to Nepean. Transmits paper from Messrs. Allen, of Vermont, respecting a proposed contract to furnish timber for the navy. They first proposed to deliver the timber in some part of America, but that being inconsistent with the terms of the contract proposed by the naval authorities, they are prepared to accede to its terms. Lord Dorchester desires him to say that they are well qualified for the business. 464

Offer to supply timber for the Royal Navy, signed by Ethan, Levi and Ira Allen. 466

(A letter of 29th July from Motz to Nepean, introducing Levi Allen, is in Q 40, p. 209.)

September 3, Whitehall. Sydney to Dorchester. Refers to the debate on the petition brought by Lymburner from Quebec for a change in the constitution of the Province. Desires the fullest possible information before the next discussion. The points on which information is asked are given. From the position of the loyalist settlements, it has been in contemplation to propose a division of the Province, to begin from the boundary line of the seigniory granted to de Longueuil, and westward and southward as

1788.

described in enclosed paper. What is proposed to be first done. He (Dorchester), to consider and report on the sort of civil government, the system of laws, &c. Page 469

Description of the proposed boundaries of the western division of the Province. 476

September 3, Whitehall. Sydney to Dorchester. The ordinance for regulating the militia sanctioned; the necessary clothing, arms and accoutrements shall be sent, with as little delay as possible. How the militia is to be officered. The question of embodying the necessary force is left to his (Dorchester's) discretion. Returns and estimates to be sent; the clothing will not probably arrive before spring. 477

MINUTES OF COUNCIL—1788.

Q. 37.

April 30, Quebec. Journals of the Legislative Council at the session beginning on the 30th March and ending on the 30th April, 1788. Pages 1 to 173

May 14, Quebec. Minutes of Council on State business. Memorial from the Commissioners on the Jesuit Estates. The document states the Commissioners have found the principal deeds of these estates and are ready to make a land roll, but cannot do so till a proclamation be issued ordering all holders of land by whatever title, to send in titles, &c., giving reasons for making this demand (p. 174 to 178). Patent dividing the Province of Quebec into districts. Commissioners appointed to select and recommend suitable officials for the new districts (p. 178 to 183). Memorial and claim of Niverville for wood cut on his seigniory; referred to a committee (p. 183 to 187). Report of the special committee on the navigation of the St. Lawrence, with an estimate of the cost of building and maintaining lights, buoys, &c. There follow correspondence, memorials and other documents relative to the navigation, to pilots, lights, &c. (p. 187 to 208). Report on Captain Cartwright's application for the exclusive property of Touchtoke Bay, on the coast of Labrador, and for a grant of lands there (p. 208 to 220). 173 to 220

May 20 to 29, Quebec. Report of a Special Committee of the Privy Council respecting the mode of trying prisoners for murders committed in the western country with discussions and the vote on each case. 221 to 251

June 30, Quebec. Minutes of Council concerning waste lands of the Crown from 9th May, to date. Report on Shoolbred's application for lands on the Bay of Chaleurs, which was granted, the conditions and extent being shown in the report, with the proceedings and discussion (252 to 262). Report on the application of the North-West Company, for a grant of land to enable them to make a waggon road from Lake Superior to Long Lake, to save the great expense of carrying goods across on men's shoulders. Ordered that the North West Company send propositions regarding the building and management of the road (262 to 266). Report that lands on the Bay of Chaleurs may be granted to Captain Thomas Darcy and other loyalists (266-267). Other applications are those from Captain David Grant on the River L'Assomption (p. 267); Captain George Lawe on the carrying place from the St. Lawrence to Lake Temiscouata. (The Committee recommended that if he agreed to settle one family for every 1,000 acres he should get the grant, (267-268). Application by Rocheblave for an exclusive privilege to carry goods across the Toronto portage (30 miles from Toronto to Lake La Clie (now Lake Simcoe) giving the rates he proposes to charge. The Committee resolved first to get the views of the merchants before making a recom-

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mendation (269 to 271.) Report on Captain Lauchlin McLean's application for 3,000 acres of land at St. Régis refused, the lands there being reserved for the Indians; he may have land at Carillon (271). Report on Captain Neil McLean's application for lands at Carillon; granted (267). Report on application from Allsopp to set aside the grant to Antrobus of the ruins of the King's forges in Lower Town, Quebec, on grounds stated. Refused, with reasons for refusal (272, 273). Report on Cochrane's application for a grant or lease of the saw mill on the Chambly. No decision come to until De Niverville is heard for his interest (274 to 278). Report on the petition of Henry Caldwell and other officers of the British militia for a grant of land. Cannot be granted to them as belonging to a corps, but may be granted to them as individuals and so recommended. The Surveyor General reports that lands may be given them on the Grand (Ottawa) River near the tract petitioned for by the officers and men of the late 84th (at Carillon) (278-279). Report on the claims of the Mann family for land at Chaleurs Bay (279 to 281). Report on proposition by Antrobus to exchange his land at William Henry (Sorel) for the old forge, "with liberty to take away what quantity of stores I may have occasion for from the lot belonging to Government, situated under Cape Diamond, and running upwards from Fraser's wharf, 275 feet, without injuring the road." The Surveyor General and law officers were instructed to investigate the titles, &c. (281 to 283). Report on petition of Major Edward Jessup, for himself and for Captain Peter Drummond, Lieuts. John Dalmage and Edward Jessop, half pay Provincial officers, and for Michael Hoofnail, late of New York, Rev. Gideon Bostwick, Massachusetts; and George Dibble of Connecticut, for a tract of land on the south bank of the Grand or Ottawa River (described), to be divided into townships of eight miles square and to settle 34 families on each township within four years. The conditions on which they propose to hold and settle the land are detailed. It is recommended that a survey be made and that the plan should be so extended as to form such a number of townships as may reach to the loyalist settlements on the St. Lawrence (283 to 289). Report on conflicting claims for the old forge at Quebec, between Harrison and Antrobus, with documents relating thereto (289 to 309). Various reports on minor applications, &c. (309 to 322) Page 252 to 322

MISCELLANEOUS PAPERS—1788.

Q. 38.

July 22, Quebec.

Minutes of the Council on State business. Report of Committee recommending the names of those who may be appointed justices of the peace and commissions ordered to be issued. The lists for the districts of Quebec and Montreal and of the circle of St. John's follow (9 to 12). Commission appointed to consider the question of the Jesuit estates in relation to the grant to Lord Amherst (13). (The papers relating to these estates are in the volumes, beginning at Q 50 A). Inquiry ordered in consequence of a complaint by Major Murray, commanding at St. John's, that writs of ejectment have been served from the courts of Vermont on settlers between the north of line 45° and Dutchman's Point (13 to 19). Returns to be made of the casual revenue (19 to 21). Committee appointed to consider the petition of Thomas Dunn for remission of the *droit de quint* on the Seigniory of St. Ann (21 to 24). Returns of fees in the courts to be made (24). 9 to 24

1788.

Minutes continued, 23rd July. Returns to be made of all public records (25). A Committee appointed to investigate the effects of the practice of using spirits from small stills (26). Memorial by de Lanaudière respecting highways; committee appointed to consider the Memorial and report if a change of the law is necessary (26 to 33). Petitions considered. Page 25 to 33.

July 23, Quebec. Minutes of council concerning Crown lands from 1st to 23rd July. On the 22nd July, report of Shoolbred's petition to lie on the table for consideration (35). Report of Committee: 1. On the petition of the widow of Lieutenant Duncan Murray for land at Niagara. Refused, but land to be given on the Ottawa (36-37). 2. On de Niverville's application for the restoration of a lot of land in the *banlieue* of Chambly (37 38). 3. On application from Colonel William Fortune for lands on the south side of the Ottawa. Recommended (38-39). 4. On petition of Jean Baptiste Dumas for a lot on the beach at St. Peter's street, Quebec, to build a wharf. Recommended (39-40). 5. On application from Colonel Eleazer Fitch for a grant of land on Lake Memphremagog to the St. Francis (bounds described). Recommended (40 to 44). 6. On the application of the officers of three Canadian Companies. Recommended that land be granted on Lake St. Francis (44-45). 7. On application from Colonel Asa Porter for land adjoining that granted to Eleazer Fitch. Recommended (45-46). Reports referred to the Chief Justice and the whole Council (46-47). On the 23rd July. Reports of the law officers on the report from the Surveyor General as to Shoolbred's applications (41-48). Report of the Attorney and Solicitor General on the conditions of grants from 1672 to 1755, made by the French Government. The report gives details of the differences (48 to 53). Table A. shows the different clauses, &c., before the Conquest (54 to 79). Extract from the general table of clauses, &c. (80 to 82). The patent proposed by the Attorney and Solicitor General (83 to 91). The patent offered by the Chief Justice (92 to 99). Report of the committee on the application of Hugh Finlay for the lands, iron mines, forges, &c., at St. Maurice, and on the petition of Alexander Davison and John Lees for the prolongation of the lease of these mines. The report gives a history of the mines and forges, and recommends that Finlay's petition be granted (100 to 109). Documents attached to the report (110 to 126). Report on the applications for lands on Bonaventure by Lewis Fromenteau and the Widow Bourdage, the latter of whom complains that Major Holland had taken possession of 500 acres belonging to her, but the Committee can decide nothing in the absence of Major Holland (127 to 130). Report on the petition of Isaac Mosley for lands on the Yamaska, or on the east side of Lake Memphremagog (130 to 132). Report on application by Lieut.-Colonel James Holmes for land between Johnstown and the Bay of Quinté (132-133). Simeon Covell, for land between Oswegatchie and Cataraqui (133-134). Reports of the Committees confirmed by the Council (134 to 136). 35 to 136

July 28, Quebec, Dorchester to Sydney (No. 80). Sends minutes of Council. The question raised as to the public utility of continuing the restraints of the French Government upon mines, As a consequence, no other mines than those on the St. Maurice, near Three Rivers, have been discovered. The British patents in the old Colonies contained the exception only of mines of gold and silver, and that a bounty was formerly granted on the importation of pig-iron into Britain, which still affords a market for this metal in bars as well as in a rude state of manufacture. Canada abounds in the metal, and a few years' encouragement would lessen the dependence of Great Britain on foreign countries for this article. There is also salt above Montreal, and fossils convertible into beneficial articles of

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commerce, so that the restraints are a discouragement and preclude the King's subjects in Canada from participating in the advantages of the people in Nova Scotia, New Brunswick and the United States. For these reasons he thinks that the forges of St. Maurice should be granted to a private individual, and that all mines, except of gold and silver, should be thrown open to the proprietors of the soil. Recommends Mr. Finlay's claims to the St. Maurice forges. Page 6

September 5, Whitehall. Sydney to Dorchester (private.) Is glad to find that he had recovered sufficiently to visit the upper posts: the reports of his state were alarming, the arrival of Dr. Nooth will, therefore, be a satisfaction to him (Dorchester.) The Lieutenant Governor takes out dispatches calling for information which the Ministry desire to have by Christmas, that they may not be compelled to avoid the settlement of questions respecting Canada for a second time. The Ministers desire that his brother should continue in the government of New Brunswick, where he has given satisfaction; his "right headed" letters on the situation. His proposals respecting gaols and court houses approved of, but no determination arrived at. The legal questions are in the hands of the law officers. Monk's conduct has operated to his disadvantage, but until the report is ready, no step will be taken regarding him. Nothing can be done respecting the Vermont negotiations, till the re-assembling of the Ministry. The emigration from the States towards the Ohio is undoubtedly directed to the possessions of their foreign neighbours, beyond the Mississippi; the consequent variance which will arise between the Americans and their late allies. The propriety of discouraging the excursions of foreigners from the States towards the remaining British possessions, which have always mischief in view. Hopes to write again by way of Halifax before winter. (A note states that Lord Sydney had mislaid this draught and asks for a copy. The note is probably written by Nepean.) 1

October 14, Quebec. Dorchester to Sydney (No. 81). The Indian chiefs, who declared the lease or sale of their lands to be without authority, have since ratified the same, reserving a tract from Lake Ontario to Lake Erie for their own use. The arrangement was made in presence of Butler and Joseph Brant, who are said to be interested. A sum of £500, supposed to be fictitious, is said to be the price paid for the land acquired by Butler and Brant, 30,000 acres each. This land, it is supposed, was given without expense, partly for their interest with the Indians, partly as a present. These transactions are made in opposition to the State of New York, the lands falling within the cession made by New York to Massachusetts. The Western Indians of Detroit and Michilimakinak commit frequent acts of hostility against the Americans on the Ohio, &c., contrary to his advice. An attack by Chippawas in which they brought off 6 scalps and a prisoner from Muskingum, has produced a message from Governor Sinclair, (St. Clair) to the chiefs, who represent that they desire peace, but cannot restrain their young men, any more than the Americans can restrain theirs. Brant with 130 warriors has left Detroit to meet the other nations at the Miamis previous to the great Council. The Indians appear to be unanimous, and had dismissed American emissaries. It is supposed they intend to settle a boundary between them and the Americans, and if necessary to relinquish the land settled by them on the Ohio. The Indians on the Grand River dissatisfied with Brant. The Indians on the Wabash have gone South to assist in an attack on settlements on Cumberland River. Three Indians sent from Michilimakinak charged with the murder of two negroes; murders frequent in that vicinity. 147

October 14, Quebec. Same to same (No. 82). Sends communications in addition to those sent in letter of 10th April, 1787. 145

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The paper bears the title "Opinions and observations of different persons respecting the United States." Comments on the various propositions made at the federal convention held in Philadelphia, in 1787, and summarizing the three plans: 1. That of New Jersey, deemed insufficient. 2. That of Hamilton, looking to a monarchy, which was over-ruled, although supported by some of the ablest members of the convention. 3. That of Virginia, which was adopted. The ablest men in the States are favourable to our (the British) form of government, and view the proposed constitution as an experiment, paving the way for a more energetic one. Washington will be President and Hancock Vice-President; it is suspected both have a French bias. The new government will be attended with more expense than the present, or than a prudent, well-regulated monarchy. The difficulties of the new government increased by the inconsiderable majorities that decided its adoption. The whole weight of the order of Cincinnati was thrown into the federal scale. (For an account of this order or society, see Gordon, 1788, vol. 4. pp. 393, *et seq.*) Probable contentions of the two great parties during the winter. Determination to separate the northern from the southern districts. Support by the wealthy to the new plan, in hope of raising the value of securities which they had purchased for a trifle. Effect of the present change on the different classes of those attached to the British Government. Military preparations for carrying the new constitution should the requisite number of States not vote for its adoption. Doubts if the people of the States are in a disposition to pay taxes, and to submit to the measures unavoidable if they are to be a nation. Murmurs and complaints are unavoidable, but the population is rapidly increasing and the face of the country exhibits a people unwilling, rather than unable, to contribute to the necessities and to restore the honour of a contemptible government. The constant struggle for power an objection by the advocates of monarchy. The anti-federalists are quiet but sullen and discontented, and the ties of social life are done away with. They are inferior in vigour, talents, &c., to the federal party. The emigration to St. Clair's government beyond the Ohio has exceeded the bounds of credibility. Armed parties from New England, regularly officered, are prepared to force the passage of the Mississippi, whether Congress approves or not, and in defiance of the Spaniards; they are desirous to open a friendly intercourse with the British Government by the northern lakes, and wish to be permitted to exchange furs at Michillimakinak for British manufactures. The present feeble Congress has little authority over the western country. Vermont seems determined to remain in its present unconnected situation, and if hard pressed will defend their country. There is a general growing British interest in the States; suggestions as to establishing commercial relations; the prevalence of smuggling; bankruptcy is now no disgrace. The large establishment of French consular agents in the States; their minute reports. The cold, haughty and contemptuous manner in which Moutier, the French Minister, treats men in public stations. The attempt of Vergennes to obtain for France judicial authority, over all the natural-born subjects of France in the States; to hold courts for their trial: to arrest those persons and to convey them away; to this plan Franklin acceded, being very open to flattery. The French anxious to obtain timber; their demand for repayment of the money lent during the war. Franklin censured for not getting it as a subsidy. Strenuous exertions to establish manufactories in the States: examples given. The financial embarrassment increased by successive violations of the public faith and credit which have destroyed all confidence in the rulers. Prospects of an Indian war; the breaking of their

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faith with the southern Indians by Georgia and Carolina. Private treaty by New Yorkers with the Six Nations, declared by the legislature of New York to be null and void; commissioners appointed to treat at Fort Schuyler (formerly Stanwix). Details given. The right to 5,000,000 acres in Genesee Country, ceded lately by New York to Massachusetts; two thousand families already settled on it. The French Minister, de Moutier, was present at the opening of the treaty at Fort Schuyler and was particularly attentive to the Indians. The irritation caused by the retention of the western posts, &c. Troops to be drawn there by St. Clair under the pretext of meeting Indian hostilities. Page 146

October 14, Quebec. Dorchester to Sydney (No. 83). A commission issued to try prisoners charged with murder outside the described limits of the Province. Thompson, a soldier convicted of murder, has been respited till His Majesty's pleasure is known. The legal reasons for the respite, other than the challenge as to the validity of the commission. The inconvenience and danger if persons charged with murder outside the limits of the Province can be tried in England only. Is anxious to receive commands on the subject. 162

October 14, Quebec. Same to same (No. 84). Has visited the loyalist settlements in Upper Canada; their satisfactory progress. The tenure of the lands is a source of anxiety. Planters expected on the American side of the river and lakes; the desirability of showing the favourable condition of the loyalists. The animosities in the Legislative Council appear to be confined to the towns of Quebec and Montreal; the division of the Province into two would not heal these, although it might be attended with other good consequences. How the exhibition of animosity in the Council may be checked. Both parties in the wrong. His own view of the best method of introducing changes in the laws, which must be done gradually. The unfavourable prospects of the fur trade, and a bad crop makes the prospect worse. A firm and benevolent administration the best remedy for evils; an early decision of the business of Canada is much to be desired. 164

October 14, Quebec. Same to same (separate). André François Odelin in his sound senses during the period mentioned in the paper handed to him (Sydney) by the French ambassador. Doubt whether he really granted the obligation for 9,000 livres to Cazeau. (See Q 35, p. 54 to 56.) 168

Documents enclosed 169 to 179

October 14, Quebec. Dorchester to Sydney (No. 84. The second of the same number.) The Legislature of Nova Scotia has voted £300 for improvements on Governor Hammond's farm at Halifax. Lieut.-Governor Parr believes they will vote the remainder. 180

October 14, Quebec. Same to same (No. 85). With naval officer's return of vessels inwards and outwards at Quebec between 5th April and 5th July. 181

Return follows.

October 17, Quebec. Dorchester to Sydney (No. 86). James Gale, tried for murder, found guilty and sentenced; but respited awaiting the Royal pleasure. He is recommended for pardon, on condition of quitting the King's dominions. 182

October 24, Quebec. Same to same (separate). Allsopp and others have informed him that it was proposed to send Lymburner again to England, if it met his (Dorchester's) approval. They were told he could neither approve nor disapprove. Copies of addresses brought by deBonne, who was anxious that they should not be too late in being laid before the King, but that the originals could not be sent till they were fully signed. Sends the copies. The originals will be forwarded when presented. 184

Letter and addresses (in French), referred to in the preceding letter. 186 to 193

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October 24, Quebec. Dorchester to Sydney (No. 87). Transmits the application of the Lieut.-Governor, Council and Assembly of the Island of St. John (P.E.I.) for the appointment of James Robertson to be King's Printer, with recommendations that the application be granted. Page 194

Memorial from the Governor, &c. 196

Memorial of Alexander and James Robertson, stating their services and losses. The memorial enters into minute details. 201

October 24, Quebec. Dorchester to Sydney (No. 88). The Canadians hope for compensation for their losses in 1775 and 1776. A statement of these was transmitted in 1777. Recommends payment; the whole amount of these losses he believes to be £18,000 or £20,000. 211

November 6, Whitehall. Sydney to Dorchester. That he has been unable to consult his colleagues upon the mode to be adopted for trying offenders for crimes committed outside the Province; but sends the opinion of the law officers as to the state of the law. 137

The opinion follows. 138

Miscellaneous Papers.

January 17, Quebec. Finlay to Nepean. Sends calculations showing the difference of opinion on the advantages of manufacturing wheat into flour. Has been promised remarks on the benefit of exporting wheat instead of flour. 213

The document enclosed is endorsed, "Calculation of the profit arising to the Province by employing 2,500 tons of shipping" in exporting flour in place of wheat, with observations on that calculation showing that instead of a profit of £3,844 the gain to the Province would be £10,498. The arguments are given on both sides. 214

April 4, Quebec. Finlay to Nepean. Sends the remarks on the benefit of exporting wheat promised in his letter of 17th January. There is unanimity in the Legislative Council, and the harmony gives satisfaction. Many applications from people in the United States for lands in the Province; the advantages of getting a class of settlers who were sincerely attached to the British Government during the war, and of those who have repented of their hostility, the latter of whom would at the risk of their lives and fortunes defend the Province; those who had always retained a warm heart to the King and Mother Country, would make the best settlers. The offspring of these people would in time be the strength of Canada. If received, about 20,000 or 30,000 souls would be added to the Province. He firmly believes that a majority of the four Eastern States sincerely desire to return to their allegiance. Proposal from Colonel Fitch, of Connecticut, to settle 40 townships. Has lately heard of 700 families of Quakers who wish to remove from New Jersey and Pennsylvania to Canada. 227

Document enclosed, entitled: "Observations on the second calculation, which states the profit arising to the Province by exporting 300,000 bushels of wheat manufactured into flour in preference to exporting the grain to be only £8,593 15s. 0d." The statement supported by figures shows according to this calculation a net gain of £28,838 1s. 3d., or "so nearly so as not to merit a dissection." 230

A paper marked *A*, shewing the list of mills, of bakers, the quantity of wheat, &c., with an elaborate statement of the markets, &c., in support of the calculations on page 230, and a comparison (p. 237) of the price charged for grinding in Quebec, England and New York. 231

April 14, Quebec. Ordinance further to regulate the inland commerce of this Province. English 261; French, 266. 261 to 270

For the easy recovery of Crown debts incurred on commercial transportation on the interior lakes. English 271; French 275. 271 to 279

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April 16, Quebec. Extract of a letter from Quebec complaining of the conduct of Chief Justice Smith; accusing him of attempting to bring odium on the courts of Common Pleas; the numerous appeals from his decisions; his growing unpopularity. Page 253

April 17, Quebec. Finlay to Nepean. Asks his interest that he (Finlay) may obtain a grant of the seigniory and forges at St. Maurice, so that he may be able to provide for his family. 256

April 30, Quebec. Account of the salaries and allowances to the Governor and civil officers of the Province, from 1st May, 1787, to date. The names, offices, salaries, &c., are given in full. 240

April 30, Quebec. Ordinance for promoting inland navigation. English 280; French 289. 280 to 297

For the better security of the revenue arising on the retail of wine, brandy, rum or spirituous liquors. English 298; French 301. 298 to 303

For regulating the pilotage on the River St. Lawrence and for preventing abuses in the Port of Quebec. English 304; French 311. 304 to 317

For regulating the fisheries in the River St. Lawrence, in the Bays of Quinté and Chaleurs, on the Island of Bonaventure and the opposite shore of Percé. English 317; French 322. 317 to 327

For altering certain ordinances respecting small causes. English 327; French 329. 327 to 331

To prevent persons practising physic and surgery without licence. English 332; French 334. 332 to 336

To alter the present method of drawing sleds and carioles. English 337; French 342. 337 to 347

June 5. Quebec. Sir John Johnson to Nepean. The death of Claus; the sorrow of the Indians; they have called the son by his father's Indian name as a mark of regard. The Johnson family not affluent; prays for an allowance for one of its branches. Lord Dorchester has recommended Mrs. Claus for a pension of £200. Hopes it will not interfere with the intentions towards the son. 245

June 10, London. James Hutton to the same. Recommends the case of Mounier, whose property at the Bay of Chaleurs was destroyed by the Americans. 247

Memorial by Mounier, containing statement of his case. 248

July 18, London. Henry Hamilton to Sydney. That the Treasury had decided that he was entitled to *lods et ventes* at Detroit, but refuse to make him an advance of salary or payment of these dues, so that he must dismiss his servants and sell all he had purchased in preparation for going to Bermuda. Prays that Pitt order him to be paid £500 by the Treasury, Lt. Colonel de Peyster being amply provided with the means of making payment of that sum. 259

July 30, Quebec. Finlay to Nepean. Further respecting his application for a grant of the seigniory and forges of St. Maurice. Dorchester has reported favourably on his petition. The unfavourable nature of the tenure of lands granted by the French King to a commercial people. Canada was settled before New England; it has now, with the late additional loyalists, 130,000 souls; New England has 600,000. Were the tenure changed to that of free and common soccage there could absolutely be got 20,000 or 30,000 people from the Colonies who were attached to the King's government, but they will not accept estates under the old tenure, but would cross the Alleghanies and settle on the new land; the advantages of having such settlers. Suggests opening land for settlement on the Vermont border to prevent the mischief that might arise from people from that State squatting on Canadian territory. Shoolbred's patent under the old form of tenure is

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enclosed, which includes the reservations formerly made by the French Crown. Page 348

Shoolbreed's patent of lands at Bonaventure, &c. 351

October 13, Quebec. Address (in French) by the Canadians to Lord Dorchester, protesting against an address to the House of Commons by one of the old subjects, designating himself as a representative of the old and new subjects. His address was with the object of obtaining a House of Assembly and the abolition of the laws and customs of the Province. So far from being supported by the Canadians it is contrary to their interests and opposed to their desires. They apply for his support in their opposition to the proposals made in their name, and pray that their petition to that effect may be sent to the King. The signatures are attached. 359

The petition to the King in the same sense. The signatures cover 16 pages, two columns each. 365

(Petition of 1784, also sent is in Q. 39, p. 11).

November 10, Quebec. Le Comte Dupré to Sydney (in French). Represents that he is Colonel of all the militia of the town and district of Quebec. His efforts to put the militia on a good footing; has obtained a uniform; certain of the militia have clothed themselves at their own expense. Asks for flags, uniforms, &c., for a sergeant-major, drummers and fifers. Prays for a salary, &c., as an encouragement for other Canadian officers. 389

November 26, London. Dr. Morice, Secretary to the society for the Propagation of the Gospel, to Nepean. That two clergymen, Mr. John Langhorn and Mr. John Tunstall, have been sent to the Province of Quebec as missionaries, relying on Lord Dorchester to pay them the same allowance as that made to Mr. Stuart and Mr. Doty. His Lordship has had no instructions to do so; the hardships suffered by the missionaries on this account; it is requested that instructions be sent to pay the usual allowance. Langhorn is at Ernestown, Doty is to be placed by Lord Dorchester in a suitable place. If other missionaries are sent, can reliance be placed on receiving assistance from Government? 386

December 5, London, J. L. F. Terroux to Sydney (in French). States his case and solicits assistance. Were Haldimand here, he would not require to apply to His Lordship. 388

PETITIONS, MINUTES OF COUNCIL, &c.—1789.

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June 9, Quebec. Dorchester to Nepean. Sends copy of instructions given to Tryon, Governor of New York, respecting grants of land to be made to the officers and men of the late 84th, as they differ from the instructions he has received. Wishes to be informed of their authenticity. Page 1

Copy of instructions to Tryon. 2

October 27, Quebec. Dorchester to Sydney (No. 89). Naval officer's return of the vessels entered inwards and outwards at Quebec. 5

November 4, Quebec. The same to the same (No. 90). That the three battalions intended to be called out under the militia ordinance of 1787 should continue embodied and complete, the commissioned officers to be permanent, but the men changed at the expiration of two years' service. The Canadians may thus be roused from their supineness, and the British prevented from falling into it. The difficulty of putting the measure into practice: the modifications that may be necessary. Recommends that Sir John Johnson command the British militia. Presumes the militia will be under the general military law. The difficulty of preserving discipline

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in the lake marine. Lands offered to the Canadians who served during last war, the same as were granted to the loyalists; few have accepted, being afraid it was thus intended to make them soldiers for life. Whatever the difficulties, it is necessary to use every effort for the execution of the Militia Act in time of peace, so as to know on what to depend in case of war. Page 6

November 4, Quebec. Dorchester to Sydney (No. 91). Enclosing address to His Majesty from a number of Canadian gentlemen, also address on presenting it. (See Q. 38, pp. 359 and 365). Did not send copy of previous petition from Quebec and Montreal, as they are inserted in the Minutes of Council. 9

The petition of 1784 forwarded, with petition of October, 1788, enclosed. 11

November 6, Quebec. Dorchester to Sydney (No. 92). Sends Minutes of Council on State affairs and on the lands of the Crown. Application by Sir John Johnson and Butler that the corps commanded by them be put on the same footing as the 84th, which was approved of; he will recommend the same course to the Lieutenant Governors of Nova Scotia and New Brunswick. Recommends the total abolition of the quit rent or its reduction to a mere trifle; recommends the same indulgence being extended to the loyalists. 51

Minutes from 24th July to 22nd October. Opinion of the Attorney and Solicitor General respecting certain causes before the Court of Common Pleas. A bill ordered to be prepared. Baby and Robertson declined to be judges in the district of Hesse. Other documents referred to committees. Report on Provincial accounts, with tables, &c. 53

Minutes on waste lands of the Crown from 24th of July to the 22nd of October. Documents relating to lands to the 84th, to Johnson's Corps, &c., (74 to 78). Report (No. 19) of committee on applications for lands, namely, of William Dummer Powell, Louis Marchand, Isaac Winslow Clarke, George Allsopp. Report (No. 20) on the claim of the heirs of the late Capt. Samuel McKay, William Lamotte, Capt. Caldwell, of Butler's corps, for a marsh near Detroit for his sons William and James; Henry Hay, of Johnson's corps; Archibald McDonnell, 84th, for 1,500 acres on the Grande Isle, opposite Kingston; James McDonnell, for his late brother John McDonnell, K. R. R. N. Y.; Hugh Munro, captain late Loyal Rangers; Simon Covel, for land as a reduced officer; Adam Impey, late of the K. R. R. N. Y., who states the services of his father and brothers; he had married the widow of Lieutenant Hare; the committee recommended that he should get lands on the south side of the Ottawa, above Carillon; Rev. John Bethune, for lands lying between Charlottenburg and Cornwall. The land applied for is reported to be an Indian reserve. Marie Marguerite de Boucherville, widow of La Corne St. Luc, for lands on the Chateauguay; Frederick Rastoul, mason, Louis Marcheterre, shingler, Francois Jaquet, potter, and J. B. Ferè, millwright, jointly apply for lands at Toronto. Joseph Anderson, for lands in the district of Mecklenburg; Rev. John Stuart, for lands between the western boundary of Kingston and the eastern line of Ernesttown; James Hughes (town major), for 4,000 acres on the Grand River, between the seigniory of Vaudreuil and that of de Longueuil; George Smith, naval officer at St. Johns, had made a previous application, already reported on; the committee reports that Capt. Herkimer, has had his full share; Abraham Wing, for land near Edwardsburg. The following applications were made for lands at Toronto: Antoine Landriaux, Joseph Pagé, Elizabeth Lord, Joseph, her brother, Jacob Weimar, Richard Beasly and Peter Smith. Richard Going, for lands at the south side of Lake St. Francis; Abigail Campbell, widow of a loyalist from Connecticut, for lands in any one of

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the townships. Widow Orillat, for lands at Toronto; Michael Cook, for lands at Edwardsburg; Pierre Dodegan, for lands in Osnabruck; Major James Gray, for Indian lands next his previous grant; Abraham Pastorius, for lands adjoining the priest's seigniory at St. Sulpice; Hon. Joseph de Longueuil, for 1,000 acres to join his seigniory on the Ottawa, instead of a like quantity at the little Lake St. Francis; Lt.-Colonel John Campbell, for himself, and Major Colin Campbell, for lands on the Ottawa, next to that surveyed for the 84th; Lieut. Angus McDonnell, for lands between Charlottenburg and Cornwall; Francis Verneuil and Guillaume de Lorimier, for lands at *la vieille Galette du côte d'en haut*. The Committee does not believe the lands are within the Province. Sir John Johnson, for the heirs of Guy, for lands on the south side of the Ottawa; Sir John, for himself, prays for certain islands in the St. Lawrence. The same, for the heirs of Major Robert Leake, for lands on the south side of the Ottawa; Lieut. William Claus, for himself and his mother, for lands at Carillon; widow of Lieut. Duncan Murray, for land in the northern district of Niagara; James Farquharson, for lands with the 84th; Capt. Lewis Genevay, of Butler's Rangers, for lands at the Grand Calumet, on the south side of the Ottawa; Lieut. Donald McKinnon, for land adjoining his seigniory at Matane. Hazleton Spencer, on behalf of himself and the other heirs of his father; Alex. Chisholm, of the Bay of Quinté, to be restored lands on which he had settled; George Campbell, Sergeant in Butler's Rangers, for lands near Edwardsburg; James Molloy, for himself and step-children, the children of John Amory, of New York, whose widow he had married; Oliver, son of Ma'achy Church, for lands; no locality mentioned. The recommendations of the Committee in each case are given in full. Page 74

November 8, Quebec. Dorchester to Sydney (No. 93). The treaty at Fort Stanwix broken up; the Governor, &c., of New York had returned without accomplishing their object; they took a deed for the Onondago land, signed by two chiefs only. It is reported that the Chief of the Cayugas, who died at Canadasago, was poisoned by the Americans. Report from Detroit that a party of 50 mounted Kentuckians had killed a party of 10 or 12 Indians employed hunting for Post Vincennes, and under its protection, and that the remonstrance sent by the United States commandant against the outrage was treated with contempt by the Kentuckians. This and other reports correspond as to the intention of Kentucky to separate from Virginia. 107

November 8, Quebec. The same to the same (No. 94). Divisions of the Province of Quebec; the mixture of inhabitants in Quebec and Montreal, caused by commerce, in which the proportion is one British to two Canadians. Some of the former are also settled at Three Rivers, Terrebonne, William Henry, St. John's and the entrance of Lake Champlain, and a small number dispersed among the Canadians in the country parishes. The fur trade has collected some hundreds at Detroit, as the fisheries have at the Bay of Chaleurs, &c. The proportions of British and Canadians in the districts of Quebec and Montreal, exclusive of the towns, is about one to forty; including these, one to fifteen; in the district of Hesse two to three; in the whole Province about one to five. The movement for an Assembly is from the commercial part of the community; the Canadian *habitants*, having little or no education, would be led by others. The clergy have not interfered; the gentlemen are opposed to it, for reasons stated. No doubt the fear of taxation has its influence. The difficulties of holding an Assembly from the extent of the line settled—about 1,100 miles. A division of the Province at present is not advisable, either for the interest of the new or the old subjects. The western settlements are as yet unprepared for any organisation higher than that of a county, which

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has lately been given them. Hesse, however, whose commercial and complicated affairs call for a particular provision, now before the Council, is an exception. No time should be lost, he believes, in selecting a person of fidelity and ability to be named Lieutenant Governor of the four western districts—Luneburg , Mecklenburg, Nassau and Hesse. Should a division be determined on, there is no reason why the western districts should not have an assembly, and so much of the English system of laws as might suit their local situation. But in that case particular care should be taken to secure the property and civil rights of the Canadian settlers at Detroit. Sends note of the proper limits for the new government in case of a separation. Page 109

Proposed line of division. 114

November 8, Quebec. Dorchester to Sydney (No. 95). Sends the opinion of the Chief Justice relative to the introduction of trial by jury. The paper referred to by the Chief Justice has already been transmitted. Sends also copy of the patent creating the new division of the Province into seven districts; a sketch showing the proposed division into two Provinces (p. 114); a return of the militia. Copies of petitions and of letters on the same subject, namely, the procuring signatures by de Bonne, in a clandestine manner, to a petition against a House of Assembly. 115

Letter from Chief Justice Smith on the establishment of trial by jury. 117

Ordinances dividing the Province into seven districts. English 122; French 125. 122 to 127

Ordinances establishing Courts of Judicature in the new districts. English 128; French 131. 128 to 133

List of Justices of the Peace published on 24th July. District of Quebec, 134; of Montreal, 135: Luneburg, 136; Mecklenburg, 137; Nassau, 138; Hesse, 139; Gaspé, 139. The names of the sheriffs, clerks of the courts and coroners are given for the new districts, at the end of the respective lists.

Sketch of the division, as proposed (p. 114). The names of the places, towns, &c., are given only from Isle Jesus, the western end of the Island of Montreal being shown; the new settlements are given on the St. Lawrence, but the sketch shows no settlements on the Ottawa. 140*a*

Return of Canadian and British militia. 141

Addresses and other documents respecting de Bonne's petition. 142 to 159

November 8, Quebec. Dorchester to Nepean. Sends report and journal of the Council on Cuthbert's claim, with schedule of papers connected with it; these shall be sent when transcribed. 160

Schedule. 161

Order of reference on Cuthbert's claims. 163

Report of the Council on the same. 164

Journal of Committee on the same, containing the proceedings, evidence, &c. 167

Cuthbert's memorial. 203

Extracts from journal kept by James Thompson, overseer of Works, in 1782. The instructions by Twiss, to investigate on the spot, the claim made by Cuthbert, are first entered (205). The journal begins at page 206, and is very minute in its details. 205 to 224

Two letters from the Royal Engineers, giving an account of timber received. 225-226

Examination of James Glenny, timber merchant, respecting Cuthbert's claim. 227

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Copy of contracts for delivery of wood at Quebec, marked E, F, G, H, I. Page 236 to 244

Testimony of Donald Morrison. 245

Observations of the Attorney General. 253

Copy of an edict and of an arrêt of 6th July, 1711, accompanying the Attorney-General's observations. 266

Copy of Cuthbert's account against Government for timber cut and for damages. 270

November 8, Quebec. Motz to Nepean. A copy of Sydney's private letter to Dorchester was sent by the "Maxwell." Dorchester hopes his answer will be received in good time. 272

LETTERS FROM LORD DORCHESTER, &c., WITH VARIOUS PETITIONS—1789

Q. 40.

1788. July 29, Quebec. Motz to Nepean. Introducing Levi Allen, mentioned in his letter of yesterday. (The letter referred to is dated 27th July, and is in Q. 36-2, p. 464). Page 209

October 28, Quebec. Dorchester to the same. Had delayed answering till he had received report of survey on Indian goods. Sir John Johnson reports that there is a sufficiency of goods in store to last till 1790. A large supply had been sent to purchase lands from the Indians, which were obtained for less than expected, thus leaving a large surplus. 4

Report of survey. 6

November 4, Quebec. Dorchester to Nepean (private). That he cannot detain the packet beyond the 8th instant, a short time to answer Sydney's questions of the 3rd September. Copy of Sydney's private letter of the 20th September, enclosed. The Committee on Cuthbert's claim can proceed no further. Cuthbert goes to England to prosecute it. The report and journal of the committee's proceedings he hopes to have ready for next conveyance. 2

November 10, Quebec. The same to the same. That hemp may be cultivated in the Province with a good prospect of success. Asks that 200 bushels of seed may be sent out for distribution. 1

December 8, Quebec. The same to Sydney (No. 96). Sends memorial from persons connected with the flour and biscuit trade. There is no reason to fear distress from the scantiness of the last harvest, yet he agrees with the memorialists that no considerable quantity of wheat, flour or biscuit can be spared from the consumption of the Province. 13

The memorial follows. 14

December 8, Quebec. Dorchester to Sydney (No. 97). Transmits memorial, &c. 17

The memorial, dated 5th December, is in support of a memorial for a House of Assembly, and in opposition to memorial of the 13th October, praying that this be not granted. The character and pretensions of many signing the latter are described, and the fact that many are not seigniors, as they allege in the petition, is shown by a list added. 17

List of old subjects, seigniors, &c., in the Province of Quebec. 25

List and state of seigniories in the possession of new subjects, who did not sign the petition of 13th October. 29

List of seigniors signing the petition of 13th October. 34

Address to the citizens and inhabitants of the towns and country places of the Province of Quebec (in French), signed by McGill and others. 38

Petition (in French) from the new subjects as an answer to allegations contained in the memorial of 5th December and accompanying documents. 59 to 78

1788.
December 8, Quebec. Motz to Nepean. Encloses a power and instructions to Adam Lymburner, said to be on behalf of the Canadian inhabitants of Quebec. The loyalists in the new settlements have been applied to from hence to join in the measures for obtaining a House of Assembly; some have declined; others have not been heard from. Page 79.

Power of attorney to Lymburner to act for the Canadian Committee so as to have their petition of November, 1784, considered by the King and Parliament. 80

Instructions by the Committee to Lymburner. 85

January 8, Quebec. Dorchester to Sydney. Transmits memorial from John Fraser, Judge of the Common Pleas, for relief under his distressed circumstances. Explains the cause of his distress and recommends his application. 109

Fraser's memorial, stating his services, imprisonment, the loss of his position, &c., and the debt he had incurred from these causes 110

January 8, Quebec. Dorchester to Sydney (No. 98). Sends copies of a memorial and signatures presented on behalf of the Canadian inhabitants of Quebec, who signed the memorial of 13th October last. A copy of memorial of the same purport from Montreal was forwarded to him, but is not transmitted, as he has not the original. No proof has been given of the truth of the assertion that the loyalists joined in the application for a House of Assembly, although the promoters of the petition of 5th December had been called on to produce it. 113

Memorial (in French) referred to, showing the number, value of revenues, &c., of those in favour of and those opposed to a House of Assembly. 115

Signatures begin at 126

January 8. Quebec. Motz to Nepean. The original petition from Montreal was not in the hands of Dorchester as it and a duplicate were sent in a box, the postage of which would have been £28 16s., and he would not receive it, as this would be to open a door for the like expensive correspondence. 131

January 10, Quebec. Dorchester to Sydney (No. 99). Encloses memorial from the Canadians of Montreal. 132

Memorial (in French) from Montreal. 133

Signatures begin at 142

Notarial certificate. 188

Other documents, addresses, correspondence, &c., relating to the House of Assembly 190 to 206

January 10, Quebec. Dorchester to Sydney (No. 100). Has heard that a road for carriages has been cleared from Cayuga Lake to Great Sodus Bay, about ten miles long. The bay affords a good harbour for vessels of fifty or sixty tons. It is reported from Detroit that Joseph Brant, with about 1,100 Indians, had gone to meet the United States Commissioners at Muskingum; there is procrastination on the part of the Indians, but the Americans are determined to admit of no delay. The Indians are becoming alarmed at American encroachments; they have fired on a strong surveying party and taken some prisoners. The council, which was to have been held at Muskingum, is, in consequence, to be held under the protection of a fort. It is doubtful if Brant will trust himself there. 207

January 26, Whitehall. Sydney to Dorchester. Requests him to obtain for Jacques Bunet, or Bunel, and Marie Joseph Poirier, his wife, payment of the balance of price of houses sold by them in Montreal. 7

Note from the Marquis de la Luzerne to the Marquis of Carmarthen, asking that steps be taken to obtain the balance due to Bunet. 9

Letter to de la Luzerne from the Intendant of Poitiers, France, on behalf of Bunet. 10

1789.
February 14, Quebec. Dorchester to Sydney (No. 101). The deficient harvest. In consequence of the the high price of flour and bread, free importation of flour &c., by Lake Champlain, has been allowed till the 1st of August. Page 210

February 14, Quebec. The same to the same (No. 102). Sends naval officer's returns of vessels inwards and outwards at Quebec, between 5th October, 1788, and 5th January following. 211

February 14, Quebec. The same to the same, (separate). Count Moustier, the French Minister at New York, has applied for leave to visit Niagara with his sister-in-law, returning by Montreal and Lake Champlain. Shall express regret that the honour of receiving him and his sister-in law must be declined. 212

February 14, Quebec. Motz to Nepean. Has transmitted copy of memorial, with names of persons desirous of having their names added to the memorial of 24th December. 213

Memorial follows. 214

Additional list of names. 216

April 3, Whitehall. Sydney to Dorchester. Encloses letter dismissing Monk from the Attorney Generalship. The commission appointing Gray to the office is sent to him (Dorchester), so that it may be cancelled if anything shows him to be an improper person for the situation. 106

The dismissal of Monk of same date. 108

MINUTES OF COUNCIL—1789.

Q. 41-1 Q. 41-2.

1789.
March 14 Quebec. Dorchester to Sydney (No. 103). Sends Minutes of Council on State Affairs and on the waste lands of the Crown. Page 1

Minutes of Council on State business from 23rd October, 1788, to 17th February, 1789. Report on certain causes instituted in the Court of Montreal, wherein the suitors are resident in the district of Hesse. 2

Schedule of cases, with names of suitors, &c. 6

Opinion of the Attorney and Solicitor General on the legality of such cases being tried in Montreal. 8

Miscellaneous, and application of Mr. Gray, attorney-at-law, for payment of his services, with report and other documents. 10 to 58

Report on the claims of James Cuthbert and Juchereau Duchesnay for timber cut down on their estates, referred to a committee. 58

Schedule of papers respecting these claims. 59–60

Memorials from the ecclesiastics of St. Sulpice, stating their claims to the right of appointing to the clerkship of Montreal; and on the subject of their title to lands at or near Lake of Two Mountains, in answer to representations made by Indians at that settlement. Referred to the whole Board. 60

Message by the Governor General respecting the navigation of the lakes, with instructions to the superintendents of inland navigation, with forms. 61 to 70

List of vessels entered and cleared at Kingston, from 23rd June to 23rd September, 1788. 71

The same at Fort Erie, 25th June and 24th September, 1788. 72–73

The same at Detroit, 5th August to 7th November, 1788. 74

Letter from the Superintendent of inland navigation at Detroit with the preceding return. 75

Recommendation by the Governor-General to take the whole subject into consideration. 76

1789.

The report of the Committee on the cases from Hesse (pp. 2, &c.) and journal of proceedings of the Committee, including memorials, correspondence, evidence, &c. Page 78 to 133
Committee on Roads in the circle of St. John's and district of Nassau. Memorials and other documents. 133 to 140
Respecting the salary of the Judge of Vice-Admiralty during the vacancy caused by the resignation of Livius. 140 to 156
Respecting rights of office relative to the engrossments of the land patents. 156
Respecting the Court of the Circle of St. John's. 157 to 162
Respecting a market at St. John's. 162
Report of special committee on inland navigation. 163 to 173
Respecting the Cariole Ordinance. 173
List of the justices who have qualified in the districts of Quebec and Montreal. 173 to 175
Respecting the administration of justice in the district of Hesse; reporting a Bill with amendments. 177 to 188
Second report on inland navigation, correspondence, &c. 188 to 207
Provincial contingent accounts for six months to 10th April, 1788. Report with documents attached. 207 to 223
On the claims of Dominique Ducharme. 224 to 228
Minutes of Council concerning waste lands of the Crown, from 23rd October to 31st December, 1788. List of members of the land boards for Mecklenburg, Luneburg, Montreal and Nassau, with the duties of the boards detailed. 230
Surveys ordered to be made for applicants, whose names, &c., are given. 232
Lists of applicants (divided into classes) for lands; also, report from the Committee on the claims of some of the petitioners. 237 to 247
Orders for grants of land. 247 to 250
Minutes of Council concerning waste lands of the Crown, from 1st January to 17th February, 1789. Report of the Select Committee for revising the land regulations. 252 to 263
Report of the Committee of the whole Council. 264 to 278
March 14, Quebec. Dorchester to Sydney (No. 104). The report of the Committee on the administration of justice in Hesse will show the reason for appointing a profcssional man at £500 to the office of first Judge; Mr. Powell has been named. 279
March 14, Quebec. The same to the same (No. 105). In addition to opening trade by Lake Champlain for the importation of provisions, applications have been made for an Act to permit the importation of flour, wheat, &c., by sea. 281
April 11, Quebec. The same to the same (No. 106). That owing to the scarcity of provisions, the privilege of free importation has been extended to any port to the westward of St. John's. 282
April 11, Quebec. The same to the same (No. 107.) Friendly conduct of the Spanish Government at New Orleans towards Kentucky. Facilities given for trade; a lieutenancy erected on the Mississippi, into which Americans are invited to come. The measure advised by M. d'Arges, a knight of St. Louis. Another Spanish settlement on the west of the Mississippi, opposite the mouth of the Ohio, under the agency of one Morgan, formerly of Philadelphia. A strong inclination shown in Kentucky to separate from Congress and join Spain. It is, however, reported that the secret intention is to declare independence of the federal union, take possession of New Orleans and look to Great Britain for assistance. Encloses political reflections on the state of affairs in the western country. A new

1789.

American settlement at the mouth of the Great Miami, conducted by a Mr. Symms. Page 283

Enclosed. Desultory reflections by a gentleman of Kentucky. The great importance of the Mississippi, as the natural channel for western trade. The inevitable separation between the Atlantic and Western States. The necessity to the latter of foreign protection and the right of navigating the Mississippi; the alternative of an appeal to Spain or Britain. Nothing to be feared from Congress; the seditious temper of the Atlantic States involves a degree of imbecility and a capricious policy which only a high-toned monarchy can remedy. The delay to bring this about. In the mean time, Great Britain should be forming confidential connections with men of enterprise, capacity and popular influence resident in the Western States. 286

April 11. Quebec. Dorchester to Sydney (No. 108). The failure of negotiations between the Indians and Americans, owing to the refusal of Sinclair (St. Clair) to go to the Muskingum, the place appointed for the meeting, and of the Indians to go to Fort Harmar. The Indians have, however, offered to fix a boundary (given in detail), which the Americans have rejected and have insisted on all the country ceded by the treaty of peace; the Indians declare they will never consent to such pretensions. The Senecas, Hurons and Delawares have, however, pretended to treat on behalf of the Western Indians. Some of them are since come to Detroit, and report that they were misled by the Hurons, and had consented to the establishment of posts, one at the River Raisin 12 leagues distant from Detroit. The officers of the Indian Department have received a message from Kentucky that the prisoners held there would be returned. 288

April 11, Quebec. Motz to Nepean. The alarming state of General Hope's health. 291

April 13, Quebec. Dorchester to Sydney (separate). Death of Hope. 292

June 6, Quebec. The same to the same (No. 109). Owing to the scarcity of bread corn in the Province, and the necessity for speedy supplies, the importation of flour, &c, by sea in British bottoms, has been allowed, till the close of this year's navigation. Has intimated the same to the public, to the Lieutenant-Governors, &c. Sends report of the Committee of the whole Council on the subject. 293

Report follows. 295

Q. 41—1 ends here.

Q 41.—2.

1789.

June 7, Quebec. Dorchester to Sydney (No. 110). Sends copies of the Journals of the Legislative Council and of the Acts passed during the session. Remarks on the steps he has taken to ensure deliberation. 300

Journals from 16th March to 30th April. Speech from His Excellency; address in reply. 302 to 306

The proceedings of the Council, with the divisions on the different resolutions, &c. 306 to 526

List and copies of ordinances. 528 to 576

MISCELLANEOUS CORRESPONDENCE—1789.

Q. 42.

1789.

June 7, Quebec. Dorchester to Sydney (No. 111). Sends minutes of Council on State business and concerning the Waste Lands of the Crown. Page 1

Minutes of Council, concerning the waste lands of the Crown, from 18th February to 11th April, 1789.

Appointment of a land board at Gaspé. 2

Application by McKenzie and others for exclusive right to fish in Esquimaux Bay, with reports, memorials, &c. 3 to 11

Appointment of a land board for Hessé. 11

June 7, Quebec. Dorchester to Sydney (No. 112, secret). Encloses description and political observations on the Western country, presented to the French Minister and forwarded to his court. The object is to induce France to take possession of New Orleans. Alarm in the Atlantic States at these plans; proposals to put Great Britain in room of France; offers made to him (Dorchester) of service to bring this about. The design is to effect a separation between the Western and the Atlantic States; he (Dorchester) to supply arms and ammunition; that intercourse with the lakes should be free and open, and that a peace with the Indians would facilitate the business. To remove objections, because of being at peace with Spain, he was informed that that power whilst at peace with Britain had furnished money for the American revolt, and that no recognition was wanted till the projectors were in possession of New Orleans. Has declined to assist or to give his opinion of the merits of the scheme. The paper enclosed is not perfect, the beginning having been left out in copying as too long and containing nothing of any moment. 13

Enclosed. Paper on the Western country (in French). The country between the Appalachian Mountains is of greater extent than all the rest of the United States. The advantages of Kentucky, its rapid settlement and position on the main line of communication. The alarms caused by the Indians may stop its rapid growth for a time, but will not prevent its adding 10,000 or 12,000 emigrants every Summer. The document points out the division made by Virginia, and the territories set aside; the proposals to Spain and the ruinous project of abandoning for 25 ye ars the pretensions to the navigation of the Mississippi, rejected by Virgi nia and Maryland. The necessity for a free trade to produce the best effects, and these will be produced by the daily increasing strength of the colonists. The document which covers fourteen closely written pages dwells at length on the favourable position of the country, its great fertility, its enormous increase in population, &c., &c., and urges that France should obtain from Spain the retrocession of all the territories she formerly held in Louisiana and elsewhere, holding out to the Americans the offer of the free navigation of the Mississippi as security for peace, and even should there be a rupture, the distance and physical obstacles which separate the Western from the Atlantic States would prevent any united action, &c., &c. 16

June 7, Quebec. Dorchester to Sydney (No. 113). Death of Lieut. Governor Hope. Need of a person of rank and discretion to fill the office; the increasing importance of the Western settlements makes it desirable that Montreal should be the place of his residence. 30

June 7, Quebec. The same to the same (No. 114). Has applied to the Master General of Ordnance for two additional engineers. A report shall be sent of the repairs and alterations necessary to the fortifications. 31

1789.

June 7, Quebec. Dorchester to Sydney (No. 115). Plan submitted by the Bishop for organizing a representation of the Catholic clergy, but given up when not approved of. Page 32

Draught (in French) of a letter from the Bishop of Quebec to the clergy of his diocese for the formation of a plan of spiritual government in the diocese. 33

June 7, Quebec. Dorchester to Sydney (No. 116). The letter of dismission has been transmitted to Monk and letters patent appointing Mr. Gray in his room are in course of preparation. Monk and the merchants believing that he has been dismissed for pleading their case, a statement is made that he had obtained leave to do so. 48

Memorial of the merchants, &c., in favour of Monk. 50

(No. 117 marked as missing).

June 12, Quebec. Dorchester to Sydney (No. 118). Sends copy of report on the apprehended scarcity of wheat and flour. 55

June 25, Quebec. The same to the same (No. 119). Sends addresses of congratulation on His Majesty's recovery. 57

June 25, Quebec. The same to the same (No. 120). Sends the terms of treaty made at Fort Harmar between some of the Indian chiefs and the Americans. Those who refused to attend are determined to prevent all American settlements north-west of the Ohio; they have dispatched war pipes and a deputation to Detroit to announce war and demand ammunition. By McKee's address the war pipe was not presented to the Governor of Detroit. 58

July 3, Quebec. The same to the same (No. 121). Sends address from Montreal on the King's recovery, in addition to those sent from Quebec. 61

July 15, Quebec. The same to the same (No. 122). Movements of the Indians; 500 have arrived at the Glaize, with a view of forming a village. Reported preparations by the Americans to take possession of the Ouiatonon. Should the Indians not be able to retain their country, they will probably remove to the Spanish side of the Mississippi. 62

July 20, Whitehall. Grenville to Dorchester. Leave of absence granted to Badillard, surgeon of the garrison of Quebec, has been extended. 56

July 20, Quebec. Dorchester to Sydney (private). Introducing Colonel Hunter, of the 60th; he can give information respecting the country about Niagara. His good sense during his command makes his speedy return desirable. 64

July 30, Quebec. The same to the same (No. 123). Sends returns of vessels entered and cleared at Quebec. 65

July 30. Quebec. The same to the same (No. 124). Resignation of Southouse, of the Court of Common Pleas; his advanced age and his conscientiousness recommend him. 66

Correspondence (three letters) follows. 67, 68, 69

August 22, Quebec. Dorchester to Sydney (separate). For leave of absence. 70

August 22, Quebec. The same to the same (No. 125). With report on the question, whether persons residing within the extent of the authority of the Crown, but outside the limits of the province, should not be required to comply with the law by taking out licences for the sale of spirituous liquor, &c. This raises the larger question of the extension of the laws to the King's posts and to the settlements. 71

The documents are:—

1. The memorial of the Secretary of the Province. 72
2. Note from Wm. Smith, Chairman of the Committee of Council. 74
3. Journal of the Committee of Council charged to report on the questions raised by memorial of Mr. Secretary Pownall relative to the issue of licences for the retail of spirituous liquors in the district of Hesse. 75

1789.
August 27, Quebec. Dorchester to Sydney (No. 126). Owing to its growing importance, encloses a plan of the colony of Kentucky, with some observations on the state of that colony, which seems at present to be the most considerable part of the Western settlements. Page 82

Filson's map of Kentucky. (A *fac simile* of this map is given in Mr. Reuben T. Durrett's "John Filson, the first historian of Kentucky," published in Louisville, Ky., in 1884.) 82*a*

Observations upon the colony of Kentucky, giving brief account of the towns, soil, population (62,000 in 1788), militia; the names of the leading members of convention, namely, Colonel George Muter, Chief Justice, with a salary from Virginia, Major-General Scott, Brigadier General Wilkinson, Colonel Levi Todd, Colonel Robert Todd, Colonel Robert Johnson, Colonel Robert Patterson, Colonel Marshall, Secretary of the land office, and Colonel John Campbell. Distribution of the Congressional established troops. The interest that binds people of property on the western frontiers of Virginia and Pennsylvania to the fate of Kentucky, but their names cannot at present be given. Account of the trade. Lacassang & Co. at Louisville, and Tendezvous, at Danville, are mercantile houses of note in the interest of France. The latter carried on a trade from Bordeaux to the States during the war and are supposed once to have been prisoners at Halifax. 83

September 30, Quebec. Dorchester to Grenville (No. 1). Dispatches received. The delay in discovering the extreme scarcity owing to the deceptive appearance of the crop. What powers are wanted to deal with the question and the security to be taken against abuse. 156

September 30, Quebec. The same to the same (No. 2). Transmits copy of letter from Mr. John Jay, Secretary for Foreign Affairs to the United States. Sends also copies of his answer and of the orders issued upon the subject. 158

John Jay to Dorchester (4th September) for leave to take geographical observations on Lake Ontario, to settle the boundaries between the United States and the States of New York and Massachusetts. 159

Henry Motz to John Jay (24th September). That the Governor General has issued the necessary orders in compliance with the request in letter of the 4th inst. 162

Copy of the order signed by F. Le Maistre, addressed to Lieut.-Col. Harris, 60th, commanding at Niagara. 164

Copy of instructions to the same. 166

September 30, Quebec. Dorchester to Grenville (separate). Repeating his request for leave of absence. 167

October 9, Whitehall. Grenville to Dorchester. The address from Montreal on the King's recovery, received and presented. 90

October 17, Quebec. Dorchester to Grenville (No. 3). Reports that certificates of British plantation registry and Mediterranean passes have been counterfeited at Boston. Sends copy of counterfeit register which passed British custom houses in the West Indies; keeps the original in expectation of the informant coming to Quebec. Is in the meantime keeping the discovery secret. 168

Description of counterfeit certificate of British plantation registry. 169

Copy of the same. 170

Sketch of the seals. 172

October 19, Whitehall. Grenville to Dorchester. Addresses from Quebec (citizens and Roman Catholic clergy) on the King's recovery received and presented. 91

October 20, Whitehall. The same to the same (private and secret). Sends heads of the plan for altering the present constitution of Canada. Believes concessions should be made when they can be received as a matter of favour and not kept back till extorted. Trusts that his (Dorchester's) opinion may coincide with his (Grenville's); has at least no doubt that His Lordship

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will co-operate in carrying out the plans, and that he will delay his visit until they are put in motion. Asks his opinion relative to the policy and means of making Crown reserves of land, to secure to the Crown a certain and growing revenue. Is anxious to be fully informed on the subject. The state of France gives little to fear from that quarter at present. Page 92

October 20, Whitehall. Grenville to Dorchester (No. 1). Sends copy of letter to Lieut. Governor Fanning respecting the office of King's Printer of the Island of St. John. 95

October 20, Whitehall. The same to the same (No. 2). Draught of a Bill for the government of the Province of Quebec is sent, on which it is desired he (Dorchester) shall make his remarks. The object is to assimilate the constitution to that of Great Britain, so far as circumstances will allow. Attention is due to the prejudices and habits of the French inhabitants, and their civil and religious rights should be continued to them. This consideration has had great weight in the adoption of the plan of dividing the Province; His Lordship's objections to this have been noted; reasons for not giving them effect. Respecting the boundaries of the two Provinces, for which blanks have been left in the draught Act. The fishing settlement at Gaspé might be annexed to the government of New Brunswick, rather than be left as part of Lower Canada. How the Legislature is to be composed. Members of the Legislative Council to be honoured with a provincial baronetage, and the influx of wealth might induce His Majesty to bestow higher honours. The care that must be exercised in the choice of persons for the Council; the number must be limited in the first instance. Names to be recommended for the Executive Council, some of whom should be in the Legislative Council. Respecting the number and mode of electing members for the Assemblies. Encloses Lymburner's plan, also that proposed by the Board of Trade in 1765. Respecting the powers of the Legislatures to deal with the laws, &c. 96

Plan for a House of Assembly, drawn up by the Committee of Quebec and Montreal in November, 1784, transmitted by Lymburner. 105

Extract from a report from the Lords of Trade, dated 10th July, 1769, relative to the state of the Province of Quebec. 131

October 20, Whitehall. Grenville to Dorchester (secret, No. 3). The King approves of his conduct with regard to the proposed visit of the Count Moustier. 135

October 20, Whitehall. The same to the same (No. 4). The appointment of Mr. Powell as first Justice of the district of Hesse sanctioned. In future no offices involving an increase to the expense of the civil establishment of the Province are to be created without authority having been previously obtained. 136

October 20, Whitehall. The same to the same (No. 5). Dispatches, with journals of the Legislative Council received, together with the Acts and Ordinances, which have been transferred to the Lords of Trade for consideration. 137

October 20, Whitehall. The same to the same (No. 6). The scheme submitted by the Canadian Bishop for organising the Catholic clergy of Quebec has been received, and His Majesty approves of the withholding of his sanction to the measure. Desires information as to the supply of priests required; presumes that it must be drawn from Europe; the establishment of a seminary in Quebec would be inadequate for this purpose. Petition respecting the Jesuit estates has been sent for consideration to the Lords of Trade. 138

October 20, Whitehall. The same to the same (No. 7). Memorial from merchants of Quebec respecting the removal of Monk, Attorney General, has been received. 140

October 20, Whitehall. The same to the same (No. 8). Dispatches, one asking for two additional engineers, the other transmitting a list of the losses in 1775, have

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been received and sent to the proper offices. No works to be entered upon, without previous authority, except such as do not admit of delay. Page 141

October 20, Whitehall. Grenville to Dorchester (No. 9). Dispatches relating to the scarcity of provisions in the Province received. Acts have been passed to relax the rules against such importations. The success of his (Dorchester's) measures for obtaining a supply, &c. 142

October 20, Whitehall. The same to the same (No. 10). Dispatches received relating to the Indians; no change of system proposed; the conduct of Dease approved of. Requisitions for arms, &c., to carry on hostilities against the Americans, should be prevented. Reported abuses in the Indian Department; Dease is stated to have disposed of large quantities of goods intended for the Indians, to private traders at Michilimakinak. Asks for copies of reports on the investigation he understands was made. The reports of abuses are not confined to Dease, but apply also to Niagara and other posts. A serious investigation should be made into the whole matter. Estimates should be sent of the quantities of goods required for the Indian service. Colonel Butler should be called on to report as to his transactions in Indian lands. 144

October 20, Whitehall. The same to the same (No. 11, private). Letter brought by Lieut.-Col. Hunter received; he cannot be sent back now, as his services are required in Honduras. 148

October 20 Whitehall. The same to the same (No. 12). Acknowledging receipt of shipping returns. 149

October 20, Whitehall. The same to the same (No. 13). The resignation of Southouse received; his case shall be submitted to His Majesty. 150

October 20, Whitehall. The same to the same (No. 14). His Majesty's concern at the death of Hope; the succession offered to Lieut. Governor Carleton. Should he be disposed to continue at New Brunswick, Colonel Clarke to be Lieut. Governor of Quebec, or *vice versa*. The manner in which Clarke has governed at Jamaica recommends him. Owing to the division of the Province and other important arrangements, it is desirable that he (Dorchester) should continue at Quebec till they are completed. 151

October 20, Whitehall. The same to the same (No. 15, secret). The importance of the information from Kentucky. It is desirable that these settlements should establish a Government distinct from that of the Atlantic States; means should be taken to cultivate a connection with the former, but there can be no direct interference. All that can be done is to have such intercourse as would enable him to influence the conduct of leading men, as it is particularly desirable to prevent any close connection with Spain. How he should act should this appear probable. The uncertain state of affairs with the United States; the advantage that might arise from close connection with Kentucky. He is, however, to continue his cautious policy. 153

MINUTES OF COUNCIL AND MISCELLANEOUS PAPERS—1789.

Q. 43—1. Q. 43—2.

1788.

(NOTE.—The documents in volume Q. 43—1 end at page 410; in Q. 43—2 they begin at page 411.)

July 10. London. Edward Bancroft to Thomas Townshend. Had procured draughts of Deane's observations (sent with some abridgements), respecting a canal from Lake Champlain, &c. Should the plan appear to deserve attention, a survey will be necessary. The state of Deane's health will prevent him from going to Lake Champlain this summer, as he intended. 681

1788.

Enclosed. No. 1. Observations respecting a navigable canal from Lake Champlain submitted to Lord Dorchester by S. Deane. Page 683

No. 2. Additional observations respecting a navigable canal from Lake Champlain, submitted to Lord Sydney by S. Deane. 693

November 8, Quebec. John Craigie to Nepean. General Hope still indisposed; his illness and that of his wife during the passage, which was boisterous. Mrs. Hope greatly recovered; the General still suffering, but the crisis considered favourable. 712

December 8. Estimate, signed by Thomas Wright, of the quantity of land upon the Magdalen Islands, which is supposed to be capable of improvement, the rest being chiefly sand. 703

Copy of the proceedings of the Council in respect to the petition of Captain Isaac Coffin, for a grant of the Magdalen Islands, dated in 1787. 704

1789.

February 9, Quebec. Finlay to Nepean. The wise policy of having the question of a House of Assembly fully discussed. Does not know Dorchester's opinion on the subject. How the people might be made entirely English. Cannot understand why the English law could not be the rule in all cases of contracts and the ancient laws in all questions of land. The supposed argument in favour of the power to tax being given to a House of Assembly; the belief of some that the Canadians would not be consulted as to the change of laws, and that they would be happy under any well regulated government, whilst exempt from taxes. The seigniors would no doubt oppose any proposal to change the old system. Their mistaken ideas of their own importance; their fear of the effect of establishing a House of Assembly. 714

March —. Importation of skins from Canada in 1788, sold in January, February and March, 1789. The total value was £191,277; a note states that the average amount for the last five years was £200,000 per annum. The proportion of skins used in the different countries of Europe is given, each kind being stated. Another note says: "It is to be observed the foregoing particulars respect the importation from Canada only, but there are considerable imports of skins and furs from Hudson's Bay, Nova Scotia and Newfoundland, and also from some of the American States." 826

May 20, London. S. Deane to Nepean. Sends observations and remarks on canal from Lake Champlain. The favourable opinion of it entertained by Lord Dorchester. 720

Of the four enclosures, Nos. 1 and 2 were also sent by Bancroft. (See pp. 683–693.)

No. 3. Notes on Nos. 1 and 2. 722

No. 4. Observations on the same. 727

Observations of the same tenour as No. 1 (p. 683, &c.), but amplified. 739

June 25. State of the imports into the Province of Quebec, in 1788, handed in by Lymburner. 771

Exports from the same. 772

June 29, London. Dr. Morice to Nepean. For information respecting missionaries in the Province of Quebec, to be transmitted to the Archbishop of Canterbury. 774

June 1 to July 14, Quebec. Minutes of Council on State business, between the dates in the margin.

Proceedings of a Committee on the scarcity of wheat; with the evidence of merchants and others given in full. 439 to 497

Memorial from Varennes for a Court of Requests. 498

Documents with the title:

"Translation of a petition to His Excellency Lord Dorchester by the Gentlemen Ecclesiastics of the Seminary of Montreal, as seigniors of the

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Lake of Two Mountains, and of the deeds A, B, C, D, E, therein referred to, and translation of another petition from the said gentlemen of the Seminary of Montreal, as seigniors of the Island of Montreal, concerning the right of appointing a clerk for the Courts of Justice, and also of the deeds G and F therein referred to." Page 499 to 547

July 14, Quebec. Minutes of the Council concerning the waste lands of the Crown.

Report on application from Sir John Johnson and Joel Stone. 548
Abraham Pastorius. 551
Pierre Dufau. 554
Daniel Robertson, for lands for his son and daughters. 556
Nathaniel Lines. 557
Isaac and William Mann. 557
Sir John Johnson. 558
Thomas Handfield. 559
Thomas and Terence Smith. 560
Rev. Mr. Stùart. 560
Robert Clarke. 561
Rev. Mr. Doty. 562
Joseph Herkimer. 562

Surveys ordered for lands
1 and 3 for Sir John Johnson (2 surveys).
2. Joel Stone.
4. Thomas Handfield.
5. Robert Clarke.
6. Isaac and William Mann.
7. Abraham Pastorius.
8. Louis Fromenteau.
9. Heirs of Lient. Gov. Hay.
10. Lieut. Henry Hay.
11. Adam Impey and the heirs of Lieut. Henry Hare.
12. Frederick Rastoul, Louis Marcheterre, François Jaquette and J. B. Ferré.
13. Antoine Landriaux, Joseph Pagé, Adam Weimer, and the heirs of Orillat.
14. Richard Beasley and Peter Smyth.
15. Richard Goring.
16. Lieut. Donald McKinnon; sundry persons and the curate of Sorel. 563 to 569

On the petition of Norman McLeod and others, on behalf of reduced officers who had served at Bennington, the following surveys were ordered:—
1. Norman McLeod.
2. Jacob Schieffelin.
3. Joseph Moore.
4. Baron Schaffalisky.
5. Godefroy de Tonnancour, Bleury and Piedmont. 569

Sundry surveys ordered. 571

July 14, London. Memorial by the merchants of London on the scarcity of wheat in the Province of Quebec and the necessity of sending a supply of flour. 775

July 20, London. Dr. Morice to Nepean. Calls attention to the case of Rev. John Langhorn, starving at Ernesttown on £50 a year. 776

July 24, London. Lymburner to Grenville. Concerning the tenure of land in the Province of Quebec. Sends copy of a plan for a House of Assembly drawn up in 1784. 777

August 26. Quebec. Report of Committee of Council on additional instructions to the land office department, containing the journal of proceedings, the draught of instructions, &c. 573

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September 2, Glasgow. Lymburner to Nepean. Sends answers to questions relative to the Province of Quebec, but cannot be positive of their correctness, as all his papers are in London. Will it be agreeable to Mr. Grenville that he (Lymburner) should return to London at once, as it is his duty, having accepted the deputation from his fellow-citizens, to furnish Grenville with all the information he is possessed of that can assist in framing a constitution for the Province, that will secure its dependence on Great Britain and please the people. Page 778

The questions were:—1. The whole population of the Province. 2. Whether about 120,000 or 130,000 persons. 3. How many British settlers in the Province before the American war. 4. The number of loyalists settled in the Province. 5. The number of Canadians. 6. Among the latter how many noblesse. 7. How many of them heads of families.

In answer to 1 and 2, he believes the number of 113,000 shown by the census of 1784, was not correct, owing to the fear of the Canadians that it was intended to levy a poll tax; considers 150,000 persons at this date to be a moderate computation. 3. Believes the number of British settlers in the Spring of 1775 was about 4,000 persons. 4. About 17,000 loyalists above Montreal; others settled in the cities and districts of Quebec and Montreal cannot be distinguished from other British settlers. 5, 6 and 7. About 120,000 Canadians; about 26 or 27 families of noblesse. 780

September 2, Montreal. Presentment of the grand jury, respecting the Mal Bay disorder. 751

September 5, Montreal. Report by medical men on the disorder. 754

September 23, Grand River. Joseph Brant to Mathews. Desires to know if the posts are to be kept or handed over to the Yankees; and if the Indian Department is to be kept up as before. The changes at Niagara. It is a critical time for the Indians; the "Yankys" are taking advantage all the time and the English appear to be getting tired of them. If he had not so many children, he would do something to drown his unhappiness, and to leave more marks than his father did. Thinks he (Mathews) did very right not to have a wife and children, or he might have become a coward like him (Brant). Proposes to go down to Canada in the Winter. 784

October 17, Quebec. Dorchester to Grenville (No. 4). Sends minutes of the Council on State business, and also those concerning the Waste Lands of the Crown. 1

Minutes, 30th May. Memorial from Alex. Henry and the magistrates of Montreal, praying that a vessel loaded with flour be admitted to entry. Evidence taken, and subject referred to a committee. 2 to 10

Report, containing the journal of proceedings of the committee on Public Accounts. 10 to 75

Memorial of John Valentine, preventive officer at Oswego (76); correspondence between Caldwell and Sir Thomas Mills, and other documents relative to the accounts, as noted in the committee's report. 76 to 89

Returns of suits in the Court of Common Pleas for Quebec (90); for Montreal (91). 90-91

Note of disallowed charges in the Public Accounts. 91 to 96

Caldwell's accounts. 96

Report of the committee on the complaints of the Indians of Lake of Two Mountains; the claims of the Seminary, and copies of the papers mentioned. The papers are given in full, with the discussions of the committee. 98 to 398

Report on the matters referred to in a letter from the judges of the Court of Common Pleas for the district of Mecklenburg. The letter calls

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attention to the proper place for a court house, which it was decided was Kingston; the other paragraphs refer to the want of a court house and gaol; the mode of striking juries; of publishing sales; the want of a notary; the variety of measures for wheat and other grain, some using the bushel, others the minot; respecting roads, licenses, &c., &c. Page 402 to 419

Report on patent for a toll bridge over the St. Charles. 419 to 431

Report on application for licence to trade with the Indians. 432

Report on application for courts for small causes. 434

October 23, Quebec. Power of attorney, by the English speaking inhabitants of Quebec, to Adam Lymburner to act on their behalf for the best interests of the Province. 757

The same from the same class in Montreal. 761

Power (in French) from Quebec and Montreal. 763

October 24, Quebec. Dorchester to Grenville (No. 5). That an investigation into the titles, &c., of the Jesuits has been made, but not with sufficient minuteness. The information and transactions sent to London, so that the King may be enabled to give further orders. It is recommended that the voluminous documents may be analyzed, with liberty to the law officers in Canada to make the necessary observations respecting both law and fact. Has postponed the transmission of the documents till the opinion of the law officers is received. There is a diversity of opinion among the commissioners; only four out of nine have signed the report and two of the others have presented a memorial in the shape of a remonstrance. In addition to memorials from Quebec relative to the Jesuit estates, he transmits others from the Bishop of Nova Scotia and the rectors and churchwardens of Quebec and Montreal on the same subject. 593

Enclosed. Memorial from the Bishop of Nova Scotia referred to. 597

The same to the Bishop by the clergy of Quebec. 602

The same to Dorchester, from the minister, churchwardens and vestry of Quebec. 606

The same from the churchwardens and vestry of Montreal. 612

October 24, Quebec. Dorchester to Grenville (No. 6). Sends petition from proprietors bounded by the town wall of Montreal, for an extension of their possessions. The wall cannot be repaired to advantage; as to the question of the property in the ground, he is not sufficiently acquainted with the case to say whether the right is, or is not, in the petitioners. 615

Petition. 616

October 24, Quebec. Dorchester to Grenville (No. 7). Sends returns of vessels entered and cleared at Quebec. 619

October 24, Quebec. Same to the same (No. 8). Sends copy of requisition for presents for the upper posts and visiting Indians, also for articles required for the purchase of Indian territory. 620

Requisition. 621

October 24, Quebec. Dorchester to Grenville (separate). Introduces Mr. Southouse, who has been paid to 15th July; his case has been fully stated to Sydney. 622

October 25, Quebec. Same to the same (No. 9). Encloses communications received a few days ago. 623

Papers enclosed, with the title: "Conversations with different persons."

1. Respecting the proposal by Madison for discriminating duties, agreed to in the House of Representatives; the object of the proposal was unfriendly to Great Britain and favourable to France. This was regarded by the Senate as a declaration of commercial war, which it was neither just nor wise to begin, and the real condition of American shipping in British ports in Europe gave proof of indulgences, to which

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the advocates of discrimination could not reply. A Bill to prevent British ships from clearing from United States ports to the West Indies or British America was also thrown out in the Senate. Does not know if General Washington is free from a French bias, but all moderate and thinking men wish for a commercial treaty with Great Britain, on the consideration of which the Senate is prepared to enter dispassionately. The clause has been struck out of the appropriation Bill, authorising the President to send Ministers abroad. Had one been sent to London it would not have been a man to promote harmony, but a second edition of Adams. Application has been made to Lord Dorchester for leave to survey, but the idea of an application at this time for the Western forts is not well founded. Hopes that a system may be formed for the advantage of both countries. Is sorry for Jay's removal from the Foreign Office; he is a man of just and firm character; Jefferson, his successor, is not so much approved of. North Carolina will join the Union and Rhode Island must follow.

2. Enters more at length into the question of the proposed discriminatory duties. So long as there was no efficient government, and that local legislatures chose to pass such Acts, no notice had been taken of them, but if the first measures of the present government had a hostile end in view, and chose to mark commercial hostility to Britain, the latter would lose no time in changing her system. The answer to this is, that "the discr iminating clauses were greatly disapproved in our House" (the Senate) and the Bill so modified as to leave no distinction among the different powers of Europe. The President and Vice-President wish well to the principle. The disappointment of the French Minister at the failure of the Bill.

3. Refers to the application to Lord Dorchester for leave to survey on Lake Ontario to settle a boundary between Pennsylvania and New York.

4. The hostile spirit existing, particularly in the House of Representatives, which is checked by the want of money. When that has accumulated, the language and character of the government will be actuated accordingly. Should the treaty with the Creeks fail, the States are determined to proceed against them and the Wabash Indians, whose hostility is believed to be excited by the British and encouraged by the possession of the western posts; only the want of money prevents the attempt being made to seize these posts. Tour of Lieut. Colonel Connolly from Detroit through the western country; the risk he ran of private assassination; men in office in the States aim at no less than the subversion of the British power in North America. The army to the westward not increased; will probably be so next year.

5. The banks of New York and Philadelphia have each sent the government $50,000.

6. Want of specie to pay British creditors; emigration to the westward injures landed property; pot and pearl ashes and flax seed make good remittances. He (No. 6) drew up a report on the comparative conduct in commercial matters of Great Britain, France and Spain towards the States. Great Britain, he found, was more indulgent than either of these other powers. New Englanders finding fault with the salaries annexed to the executive departments, to the "wages" of the members of both Houses, and to their mileage. The whole revenue is derived from import and tonnage duties; should any political measure check the exports from the Eastern and Middle States these would suffer.

7. That a government is now established in the United States with which it is safe to enter into treaties. He (No. 7) has always preferred a connection with Britain. The country though growing, must for years

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be agricultural rather than manufacturing in its industries, although the latter have made some progress in Connecticut and in Pennsylvania, which has gone even further. The desire to form a commercial treaty with Britain; Lord Lansdowne had a plan on a broad scale, but it is not likely to be now attainable, although it is very desirable that there should be such a treaty, for unless this can be done, there can be little friendly intercourse. The policy of admitting United States vessels to the West Indian Islands, under certain restrictions, advocated, as calculated to prevent a system of commercial warfare, which was encouraged by France, but which he regarded with regret. Discusses the questions of the navigation of the Mississippi; the relations between Great Britain and the United States in future years; the effect a connection with the Bourbons would have. A conversation follows respecting the tariff, discrimination, &c., going over, to some extent, the ground already traversed, adding some considerations respecting the confiscation and other Acts, the cession of the western posts, and the giving up of negroes; the prospect of a person being sent to London to negotiate; the surprise felt by both parties to the conversation at the course taken by Madison. This, the British interlocutor says, is the very means to defeat any attempt to obtain a commercial treaty. Speaking of Pitt and his colleagues he says: "Upon such minds their tendency must be diametrically opposite. The purposes of national glory are best attained by a close adherence to national honour, alike prepared to meet foreign friendship and to repel foreign hostility." The United States interlocutor (No. 7) indicates that even stronger than discriminating measures were proposed by some, which were understood to be the exclusion of British shipping from United States ports. The question of restrictions on mail packets. Nos. 8 and 9, respecting the relation between Vermont and the United States. 624

The key given at page 592 probably refers to this ducument. The figures according to the key show the following:

No. 1. Dr. Johnson, a member of the Senate for Connecticut.

No. 2. Major General Schuyler, a member of the Senate for New York.

No. 3. General Washington.

No. 4. A gentleman in office of the United States.

No. 5. Lieut. Colonel Turnbull.

No. 6. Mr. Smith, of New York.

No. 7. Mr. Hamilton, who is at the head of the Treasury and Finances.

No. 8. Mr. Hay, Judge of the Common Pleas for the County of Plattsburg, in the State of New York.

No. 9. Mr. Payne, of Chimney Point, Vermont.

October 28, Quebec. Dorchester to Grenville (private.) Sends key to a late communication. 591

Key to names (see above,) 592

October 31, London. Alexander Fraser to Nepean (confidential). Is ready to answer all questions, but it must be understood that his information is given from common report, or his own opinion, for he belongs to no party and is not actuated by malice. Reported abuses in the Indian Department, of which details are given; how abuses might be corrected and expenses lessened; the appointment of a Superintendent General has not checked abuses. The saving that would be effected by the superannuation of Sir John Johnson, not because he uses indirect means to make money in his office, but on account of the incredible number of Indians who claim kindred and receive presents, besides the number of unnecessary attendants on his office, consisting of men whose applications he cannot withstand. Sir John's desire for popularity, which is apt to become

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dangerous. The complaints of the Indians that they are not supplied; they have also been deprived of the lands which supplied them with game, &c. Their just claims on the British Government and the importance of retaining their friendship. Describes the character of Powell, as a professed loyalist, but a demagogue; of Ogden, a despicable character. The character of the members of Council attached to Judge Smith, namely, William Grant, Hugh Finlay, Sir John Johnson; Harrison (who votes with Smith from attachment to Sir John); Collins, Deputy Surveyor General; Pownall, Secretary of the Province; Lanaudière; Caldwell, who is a man of honourable sentiments and errs from caprice, rather than the love of disorder; Major Holland sometimes votes with Smith, but "only from blunder." Except in respect to the two latter, the descriptions are in the most caustic terms. The Canadian members are illiterate "and can only be managed by the French *pointe d'honneur*." The number of British born subjects fit to compose a jury does not exceed 150; of these there are perhaps not 20 English, the rest being Scotch and Irish, besides Germans and Americans, many of them bankrupts and probably interested in suits coming before the Courts. The French traders would probably be ruined by the introduction of the jury system; the only protection has been in the *saisie* Act and *saisie conservatoire*. It is certain that Canada is not yet fit to receive trial by jury in cases of property. Cannot give the number of subjects in all the Provinces, for reasons given. The dangers of the present system of granting lands. Does not believe the militia in the old settlements and towns amounts to more than 1,000 men, exclusive of the natives of Canada and France, and the loyalists settled in the new lands. The population of the towns consists largely of Germans and Americans having trades; this shows the misrepresentation as to the number of subjects who desire a change in the system of government. Decisive measures needed to quiet the present discontents. The discontented party is far from formidable, yet, if not checked, it may gain strength by the acts of its leaders; the gross misrepresentations of maladministration on the part of the inferior judges; if the perversion of the Ten Commandments were made in the same way as the reports were made of the judgments of the Courts, the Commandments would be shown as inculcating every kind of vice. The Canadian peasantry are the happiest beings under the sun, as two or three hours labour a day supplies them with every comfort they desire. The honourable character of Dorchester; the unfortunate influence over him of Judge Smith. Asks for a personal interview to communicate an idea which, if carried into effect, would long preserve Canada to Britain. 786

November 4, London. Report (unsigned) to Grenville on the trade of Canada, and an elaborate argument in favour of bounties to promote its interest. 811

November 10, Quebec. Dorchester to Grenville (No. 10). Has received intelligence of hostile designs by the Hurons against Detroit and the Six Nations, headed by Brant. One of the Roman Catholic missionaries at Detroit is said to be principally concerned in the plot. Has put the commanding officers on their guard, with letters from the Bishop of Quebec, who had been a missionary at Detroit himself. 658

November 10, Quebec. Same to the same (separate). Sends report by the Attorney General, on the case of Jacques Bunet (or Bunel), respecting whom inquiry was made by Lord Sydney, on the 26th of January last. 675

Report signed by Alexander Gray, Attorney General. 676

November 10, Quebec. Dorchester to Grenville (No. 11). Sends petitions from inhabitants of Quebec and Montreal. 660

Memorial of the merchants and other citizens in Quebec and Montreal, for a reform in the judicature, &c. 661

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Memorial (in French) to the same effect. Page 664

November 10, Quebec. Dochester to Grenville (No. 12). Detailed statement of the proceedings in consequence of complaints against Sir Thomas Mills, Receiver General. The report and exhibits are too voluminous to be got ready for the present conveyance. 667

November 10, Quebec. Same to the same (No. 13). Calls attention to the defects in the means of trying cases of murder and piracy. 673

LETTERS FROM LORD DORCHESTER AND MINUTES OF COUNCIL, 1790.

Q. 44-1.

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October 13, New York. Washington to Governor Morris. The importance of mutually carrying out the treaty of peace and of having a treaty of commerce concluded with Great Britain. Desires him, as a private individual, to ascertain from the Ministry, "Whether there be any, and what objections to now performing those articles in the treaty which remain to be performed on His Majesty's part, and whether they incline to a treaty of commerce with the United States on any, and what terms." It is his wish to promote harmony and mutual satisfaction between the two countries, and he would be pleased if the result of his (Morris') agency would conduce to that end. 93

(Letter from Morris, 30th April, 1790, calendared at that date.)

December 12, Quebec. Dorchester to Grenville (No. 14). Sends petition respecting the flour and biscuit trade. Deliberation should be exercised before granting the petition, owing to the effect it would have on the revenue. 11

1790. The petition follows. 12

February 8, Quebec. Dorchester to Grenville (No. 15). Observations on the proposed Bill respecting the boundaries; that Gaspé should be continued as part of Lower Canada and not of New Brunswick; that the office of Senator should not be hereditary; the number for Upper Canada should be not less than seven and for Lower Canada not less than fifteen, and of the House of Assembly for Upper Canada not less than sixteen, and for Lower Canada not less than thirty; that the cities of Quebec and Montreal should each have four members and Three Rivers two; the country parishes to be divided into 20 circles, each sending one member. In Upper Canada, Luneburg, Mecklenburg, Nassau and Hesse, should have four members each, and hereafter to be divided as their condition may require. Owing to the shortness of the time, the actual subdivision should be ascertained by the Lieutenant Governors in Council for each province. The proposed qualifications and disqualifications for electors. Can only give a general opinion respecting commercial regulations. The necessity for introducing the soccage tenure. The Act should go into force not later than six months after its ratification in the province, but the convocation of the Assemblies may be at a later date. Submits the wisdom of having a general government for His Majesty's dominions on this continent, so that all the provinces may be directed to the general interest and to the preservation of the unity of the Empire. Encloses letter from the chief justice, with additional clauses, &c. 20

The clauses commented on in the preceding letter. 30

Clause B, prepared by the chief justice, respecting boundaries between Quebec and New Brunswick. 59

Chief Justice Smith to Dorchester, 5th February. Encloses clause for the trial of extra provincial offences. The present Bill improves the old model of colonial government, but it wants a provision to put all the remains of the ancient dominion in North America under one general

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direction. It was the want of a central power on the continent to control nearly a score of petty parliaments from which it was an extravagent expectation to look for wisdom, the Colonies, almost from their infancy, having been abandoned to democracy. Sends a paper containing proposals in the form of additions to the proposed Bill respecting the government of Quebec. Page 61

The additions to the new Bill for Canada to provide for a general government. 68

Another letter from Smith to Dorchester, respecting the extent of territory to be claimed for Upper and Lower Canada. 79

Proposed clause on the subject. 83

February 20, Whitehall. Grenville to Dorchester (No. 16). Authorizing him to pay Messrs. Langhorn and Tunstall, missionaries, the same allowances as that given to Messrs. Stuart and Doty, and arrears from the time of their arrival in the Province. 1

March 1, Whitehall. L. Bernard to Motz. That duplicate dispatches have been returned to Grenville, the originals having been received by Dorchester. 3

March 6, Quebec. Dorchester to Grenville (No. 16). That the same disqualifications should be extended to deserters from the army and navy as apply to deserters from the militia. 101

March 6, Quebec. Same to same (No. 17). Respecting the cultivation of hemp and the encouragement to be held out for its production. Asks for samples of Russian hemp to be used as standards. 102

Reports of Council, &c., on the culture of hemp. 104

March 8, Quebec. Dorchester to Grenville (No. 18, secret). Inquiries show that, with few exceptions, the Indians are satisfied. The suspicious movements of the United States in raising troops, ostensibly to subdue the Indians, but apparently to attack the frontier posts and secure the fur trade. A more secret motive is, perhaps, to reduce the state governments and crush an internal opposition. There are indications of their approach by the Potomac to the Ohio, thence to Lake Erie and Detroit. This alone would put them in possession of the fur trade to the southward. The possession of the great approaches to Canada by the Mohawk River and Oswego, and of the Sorel up to the treaty line, would practically make them masters of the country. The upper posts have all been repaired and supplied with stores. Detroit is stronger than ever, but is only defensive against Indians. Niagara should make a good defence; Michillimakinak can only keep out Indians; Fort Ontario cannot be rendered defensible; the works at Sorel are all very bad. The difficulty of raising the inhabitants of the lower part of the province even in their own defence. The difficulty of raising the militia; the defence will depend on the troops and on such help as the loyalists can give. From local causes every post must be left to its own defence, and a reinforcement of 4,000 men will be necessary to conduct a defence of the Province. The defective distribution of troops in Nova Scotia. Leaving two battalions to guard Halifax, the rest there and in New Brunswick should be collected on the upper part of the St. John River, whence they could give assistance. The necessity of increasing the naval force for the defence of Halifax. The United States should bring forward a frontier treaty and a treaty of commerce. Thinks they will do something less solid and more brilliant to captivate the people and prepare their submission to new authorities. Beckwith has been sent to thank number seven for his suggestions, &c. 121

March 10, Quebec. Same to same (No. 19). Sends copy of minutes of Council on State business. 129

March 15. Quebec. Same to same (No. 20). Sends lists of persons suitable for seats in the Legislative and Executive Councils of the two proposed Provinces of

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Upper and Lower Canada. The list of the present Council of Lower Canada is arranged by seniority, the names of those for Upper Canada are sent on the recommendation of Sir John Johnson, whose services entitle him to be appointed Governor of Upper Canada. In that event he should be succeeded by Alexander McKee. Page 130

The lists follow. 132 to 136

March 15, Quebec. Motz to Nepean (private). Proposal to import German families acquainted with the culture of hemp. The arrangements by which they might be induced to come. Recommends his brother Francis to take charge of the arrangements. 137

March 27, Whitehall. Grenville to Dorchester (No. 17). That the same powers were given to the Province of Quebec as were enjoyed by Nova Scotia and New Brunswick in accordance with request contained in letter of 30th September (No. 1). 4

March 27, Whitehall. Same to same (No. 18). Has received memorials, &c., respecting the estates of the Jesuits. Shall answer when he receives reports from the law officers in Canada. Petitions received from inhabitants of Montreal for an extension of their possessions. No answer can yet be returned. 5

March 27, Whitehall. Same to same (No. 19). Dispatches with minutes of Council, &c., received. 7

March 27, Whitehall. Same to same (No. 20). Letters received; the King's satisfaction at the assurances of friendship in Jay's letter. The steps to be taken respecting forged certificates of British plantation registry are under consideration. The communications and key are interesting and will always be acceptable. 8

April 7, Quebec. Motz to Nepean. Sends by Lord Dorchester's command copy of a minute of the Board of Agriculture on the subject of the culture of hemp. 140

The minute, containing observations by Hugh Finlay on the cultivation of hemp. 141

April 7, Quebec. Dorchester to Grenville (No. 21). Brigadier General Carleton reports the destruction of Fort Cumberland, in New Brunswick, by fire; list of ordnance stores reported to be destroyed is enclosed. 145

List referred to. 146

April 7, Quebec. Dorchester to Grenville (No. 22). Respecting forged Mediterranean passes and the measures taken to suppress the illicit trade carried on by the subjects of the United States by means of them. 147

April 8, Whitehall. Grenville to Dorchester (No. 21). Dispatches received. No decision can be come to on constitutional points till after receiving answers from His Lordship. Other dispatches sent to the departments which they concern. 10

April 28, Whitehall. Duke of Leeds to Morris. The causes of delay in answering the letter from Washington, &c. It has ever been the sincere wish of this country to fulfil her engagements with the most scrupulous fidelity. The delay arises from redress not being granted to British subjects according to the terms of the treaty of peace, and the non performance of those engagements by the United States. It is the sincere wish of the British Government to cultivate a real system of friendly commercial intercourse with the United States, and every measure which can reciprocally tend to that object will be adopted. 95

April 30, London. Morris to Leeds. Regrets the causes of the delay from illness, &c., in receiving answer to Washington's letter. Confidence in the good faith of Britain caused Congress to reject proposals which appeared hostile to her commercial interests. Is convinced that the United States are determined to perform fully every stipulation they have made. Both being thus inclined, a full agreement might be arrived at and he desires to know how and how far it is considered the United States have not

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carried out their engagements, as the idea is new to him. Should there be any stipulations not fulfilled, and which are now impracticable, he desires to know the kind and measure of compensation expected before the British engagements are carried out. Hopes he is mistaken as to the proposed extent of commercial intercourse, as it appears that it does not go the length of a treaty. Page 97

May 6, Whitehall. Grenville to Dorchester (No. 22, secret). The prospect of war with Spain; it is not likely that the North American dominions will be attacked, but the United States might be encouraged by Spain to demand the cession of the frontier posts. The necessity of having a wise and prudent governor will no doubt induce His Lordship to relinquish his wish to return to Great Britain this season. It is doubtful if troops can be sent; militia may be raised. 84

May 6, Whitehall. Same to the same (No. 23, secret). The importance of having the friendship of Vermont in event of an alarm from the United States; the commercial privileges granted to Vermont may prove of service in attaching the people to Britain. The encouragement given to Levi Allen. 87

May 6, Whitehall. Same to same (No. 24, secret). Referring to the letter No. 22, respecting war with Spain, sends copy of letter from Washington, which shows a better disposition to cultivate a closer connection with Great Britain. The letter in answer pointed out the non execution of the treaty on the part of the United States, but it is desirable to establish a greater degree of interest there, and for this purpose suitable persons should be sent who could also give warning should there be any hostile designs. Spain asserts exclusive rights against the world, and these conflict with the interest of the United States as well as of Great Britain. It could be shown to Kentucky, &c., that the opening of the Mississippi could be more easily gained by the assistance of Great Britain than by other means. 89

(For letter from Washington, see 13th October, 1789.)

May 27, Quebec. Dorchester to Grenville (No. 24). Sends copy of instructions respecting the Indian Department. Account of the investigation into the complaints against Dease and Ainse, other abuses complained of in the inferior branches of the Indian Department. Is not quite satisfied with Butler's conduct. Will order the Superintendent General to visit the post as well on that account as to inquire into the state of the militia. Steps to be taken respecting the reports of Butler acquiring Indian lands. 172

Instructions for the good government of the Indian Department. 176

May 27, Quebec. Dorchester to Grenville (No. 25). In consequence of the King's instructions restraining the further grants of land, sends the regulations on the subject, &c., to show the extent of equitable claims founded on them. A speedy settlement of the upper country with profitable subjects, provision towards a strong and loyal aristocracy and the reservation of certain tracts of land for future use were the chief principles on which the regulations were founded. Remarks on the benefit of these in promoting a desirable immigration. Nearly one-seventh of the land reserved for future grants; to reserve more would be prejudicial. The importance of attaching the people to the Crown. Whatever is done with the estates of the Jesuits the mutation fines should be dispensed with. Commerce to be encouraged. Political justice should be extended to all alike. 199

Schedule of enclosures. 129

Enclosed. List of members of the Land Boards in the districts of Mecklenburg, Luneburg, Montreal and Nassau. Minutes of Council 29th December, 1788 (See vols. 41 and 43 for the Rules and Regulations for the Land Office.) 187

Second addition to the rules, &c., dated 20th January, 1790. 250

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Third addition of same date. Page 204

Report of Committee of the whole Council respecting the schedule of locations in Luneburg and Mecklenburg, read on the same date, with extracts of letter from Lord North, dated 24th July, 1783 and from Lord Sydney, dated 3rd September, 1788, respecting grants of land. 210

Extract from minutes of Council, dated 22nd October, 1788, with memorial from Sir John Johnson, Colonel Butler and other reduced officers; and Order in Council for allotting lands to certain reduced officers, equal to those of the 84th Regiment. 216

Extract from Minutes of Council, dated 9th November, 1789, with Order in Council that the daughters, as well as the sons, of loyalists are to receive a grant of 200 acres, on attaining full age, and in the case of the daughters, on their marriage, and that their names are to be discriminated from those of future settlers in all public records, &c. 222

Form of militia roll. All loyalists who joined the standard before the treaty of separation in 1783, and all children and descendants of either sex, are to be distinguished by the letters U.E. affixed to their names, alluding to their great principle, the unity of the Empire. 224

Extract from circular, dated 19th January, 1790, to the Land Boards, that loyalists are to obtain their patents free of expense. 226

Circular to the Land Boards, dated 21st January, 1790, respecting improved regulations. 228

Schedule of the Boards appointed for the more easy accommodation of persons desirous of forming immediate settlements on the waste lands of the Crown. The schedule gives the names of the members of the Boards for the districts of Montreal, Luneburg, Mecklenburg, Nassau, Hesse and Gaspé. 229

Calculation for a town and township of 9 miles in front by 12 in depth, proposed to be situated on a river or lake, containing 69,120 acres. 231

Details of the same. 232, 234

Plan of the same. 233

Calculation of an inland town and township 10 miles square, containing 64,000 acres. 235

Plan. 236

Plan of nine townships. 237

May 27, Quebec. Dorchester to Grenville (No. 26). Alarm of the Indians at the reported hostile designs against Oswego and Niagara. Orders have been sent to treat an attack as the beginning of war, and engineers have been sent to repair Niagara and Fort Ontario. Lieut.-Colonel Harris has been relieved from command of the upper posts, owing to complaints by the Indians. 238

Enclosed. Extracts of letters from Lt.-Colonels Harris, Butler, &c., containing reports from the upper posts. 240 to 251

May 27 Quebec. Dorchester to Grenville (No. 27). Sends further communications respecting affairs in the United States. Vote passed in the House of Representatives (U. S.) to raise 5,000 foot and 16 companies of artillery in addition to the existing force on the Western frontier. The number reduced in the Senate to 3,000, exclusive of two regiments for Georgia and two companies of artillery already there to oppose the Western Indians. In case of emergency considerable detachments of militia may be brought into the field to co-operate with these forces. 252

Report of interviews by the private correspondent, names not given. The report begins by the correspondent returning Lord Dorchester's thanks for civility towards him, and that His Lordship approves of the principle laid down: "That it is expedient that a solid friendship should be established between the two countries." The answer (by No. 1)

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was that he (the American Senator) was happy to find that Dorchester agreed to this principle and believes the same opinion is shared by the majority of those who are to conduct the affairs of the United States; the President considers this subject in a favourable light. Jefferson believes the struggle in France will be successful and that this will be of commercial benefit to the States. He (the Senator) thinks this a favourable time for a commercial treaty. The question of the navigation of the Mississippi may produce a coldness on the part of Spain. A Minister from Britain to Washington would give satisfaction. He cannot communicate further with Lord Dorchester on this subject as it is in Jefferson's department. Remarks on these observations and on the States having sent a Minister to the British Court, a step which had not been acknowledged. It will be difficult for the States again to take the lead in this. He can speak with precision as to the President's views; he is ready to go into the discussion of every thing unsettled between the two countries. The moderation of Massachusetts since the close of the war, in contrast to the spirit shown in the South owing, no doubt, to the influence of one or two gentlemen in the latter, whose opinions are deferred to and who have been led to keep alive distinctions neither wise nor proper. The States must become a considerable people and it would be undesirable to be connected with only one European power. Both parties in the Legislature have it in view to form a friendly connection with Great Britain. The different policies advocated to reach this end. There are many points to be settled regarding internal finances during this session, so that it is doubtful if steps will be taken towards commercial intercourse. The great difficulty is the existence of the Navigation Act, and it is not likely Britain will be disposed to give the United States a share in the West Indian trade, which is what they want. Respecting the difficulty of collecting debts; probable course of Chief Justice Jay, with respect to such claims. The difference respecting the Eastern boundary. Two commissioners, who signed the Treaty of Peace, say that by Mitchell's map there was only one River St. Croix laid down, which they say is the river nearest the River St. John. Respecting the islands, &c. Disputes between the United States and Spain respecting the southern boundaries. The vacillation of the Court of Spain. The military establishment will be increased in Spring for the protection of Georgia, and perhaps to carry on the Creek war. A contract made with Spain for trade on the Mississippi, but the Americans will not be satisfied until they have a port of their own on that river. The opposition of Rhode Island to Confederation arises from dishonesty; a wish to cheat by depreciated paper. There is no intention to attack the forts (the Canadian posts). Some in the House of Representatives may have such wild ideas, but there is not a single Senator who would not reprobate them. The Western territory requires troops for defence. Jefferson considers the revolution in France complete; he is "greatly too Democratic for us at present; he left us in that way, but we are infinitely changed, and he must alter his principles." He and Adams not friendly to a commercial treaty with Britain. The question of sending a Minister to the States. Respecting free ports in the Bahama and Bermuda Islands; objections. The present is a good time for considering a commercial treaty. The import duties that may be laid on by the United States. The points of contact respecting manufactures, &c., which might cause difficulties. The tendencies of the President and others. "The President in his heart leans to France; his obligations to that Court he can never forget. Mr. Jefferson is a Republican and a Frenchman. Mr. Madison, who is in great favour with the President, is still more partial to a French interest." The choice of a Minister to Britain. "If Mr. Adams should

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be the person, I am sure things would not go well. If Mr. Jefferson, I should fear it. If Mr. Jay or Mr. Hamilton, I should think well of it. If Mr. Madison, I should expect little. If General Knox, I should be certain of it. If Mr. King, I should think favourably of it." The present wish is to adjust all differences by amicable negotiation; this has been talked over in the Senate. The question of disputed boundaries raised in Massachusetts. Difference of opinion as to the policy of establishing manufactures.

10. The serious alarm south of Maryland as to the operation of the Federal Courts. The spread of Democratic opinions there, of which Jefferson is an example, holding impracticable views; the danger to France from the same opinions.

12. Respecting the rate of exchange on London and its consequences. The fluctuation in the price of American securities and its causes.

13. The astonishing change for the better in the British Empire since the peace. The impossibility of France, either through the exertions of Jefferson or any other, promoting the essential commercial interests of the States. Even if she secured the trade, France could not hold it for three weeks. The interests of the States lie with Great Britain, and they are not in a position to carry matters to extremity by restrictive regulations, whatever Jefferson, Madison and that party may say. Their arguments carried into effect would mean war. Reasons why Great Britain should revert to the old channel of commerce. The Legislature proposes to adopt more honourable and prudent measures towards the Indians.

14. The great increase of population beyond the Alleghanies. (The figures are given for the different settlements.) This expansion is discouraged by the Atlantic States for reasons given. The illicit trade carried on by the Governor of New Orleans and his friends. How the trade is carried on. Estimate of the strength of the Indians in these quarters. The attack on Georgia by McGillivray, a half-breed, his father a Scotch trader, his mother a Creek; the cost to Georgia of this war. The good sense of McGillivray has restrained him from excesses. The number of negroes carried off from Georgia.

15. Road laid out from Philadelphia to Lake Seneca.

16. New York has agreed to make a road from Lake George to the boundary line with Canada. Moderation in raising troops for protecting the Western and South-Western frontiers; when complete the force will consist of 3,000 men. A new post on the Sciota will be within 60 miles of Detroit. Page 253 to 290

May 27, Quebec. Dorchester to Grenville (No. 28). Respecting the appointment of Powell to the office of Justice of the Common Pleas at Hesse, his services, qualifications and losses; there is nobody at the bar better qualified than he to fill the position. The vacancy caused by the resignation of Southouse of the judgeship of Montreal; the measures taken to prevent inconvenience, which will prepare the way for the general dispensation of justice in civil actions. Courts for the decision of small causes have been erected and others will be added. 169

May 27, Quebec. Same to same (No. 28). Sends journals, laws and observations for the Session of the Legislative Council, from 11th March to 17th April, 1790. 291

Journals. 292 to 321

(Continued in Q. 44–2).

June 3, Whitehall. Grenville to Dorchester (private and confidential). Simcoe had been named Lieutenant-Governor of Upper Canada before his (Dorchester's) recommendation of Sir John Johnson was received. The objections to

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the appointment of Sir John Johnson, owing to his large local interests, &c. Page 149

June 5, Whitehall. Grenville to Dorchester (No. 25). That it has not been thought desirable to bring forward this Session the Bill for the government of Quebec; the Ministry may be able to use his (Dorchester's) suggestions. There is no prospect of his being able to leave Quebec, even if the Spanish dispute is peaceably settled. The difficulty of describing the boundaries of the Provinces till the questions with the United States on the subject of boundaries are settled. It is not improbable a person may be sent out to settle the points. There is no material objection to the proposed number of Legislative Councillors; there will be more difficulty in extending the eligibility of aliens to the office. Other clauses considered. The formation of a general Legislative Government for all the Provinces is open to considerable objection. Other points are under consideration. 152

June 5, Whitehall Same to same (No. 26). Sends copies of letters to the Lieut.-Governors of Nova Scotia and New Brunswick and the Bishop of Nova Scotia, relative to the establishment of a college. A decision respecting the Jesuit estates has been deferred till reports are received from the law officers in Canada. 165

June 5, Whitehall. Same to same (No. 27). Orders have been given to complete the supplies of Indian presents. 167

June 5, Whitehall. Same to same (No. 28). Letters relating to the importation of rum and the cultivation of hemp have been transferred to the Lords of Trade for consideration. 168

June 5, Whitehall. Same to same (secret). Letter marked secret and letter from Beckwith lead to the belief that no attack will be made this year on the posts by the United States, but the report of the weakness of these posts and the preparations of the Americans give ground to apprehend that the posts may not be secure in event of a war with Spain. The last dispatches from Spain do not admit of an opinion being given of the issue of the business, so that armaments must go on, rendering it difficult to send out reinforcements for the defence of Canada; the augmentation to the battalions on the establishment will, however, form a considerable addition to the strength of the Province. Should hostilities take place means will be taken to increase the force in Canada, either by sending foreign troops or by raising new corps among the loyalists. The concentration of the troops now in Nova Scotia and New Brunswick is approved of. The naval strength at Halifax; arrangement of troops there depends on local knowledge, and will be left to his (Dorchester's) discretion, bearing in mind the advantage of protecting Halifax from insult 161

LETTERS FROM LORD DORCHESTER AND MINUTES OF COUNCIL—1790.

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March 11 to April 17. Continuation of the journals of the Legislative Council. Page 322 to 582

Observations on the Acts or ordinances passed by the Legislative Council in the 30th year of His Majesty's reign. 583 to 593

May 27, Quebec. Dorchester to Grenville (No. 29). Sends copy of the Council Minutes on State business, from the 10th November, 1789, to the 20th of January, 1790. 594

May 27, Quebec. The same to the same (No. 30.) Has desired Governor Parr to investigate the charges against Mr. Binney, Superintendent of the trade and fisheries at Canso. The examination leads to a presumption of his

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innocence, but is insufficient to ascertain what was Binney's conduct that gave offence to the Assembly. Page 595
Copy of letter to Governor Parr, dated 3rd October, 1789 (No. 19) relating to the complaint against Mr. Binney. 597
Answer by Governor Parr, dated Halifax, 17th November, 1789, on the case of Binney. 604
Documents relating to the case of Binney. 608 to 633
May 27, Quebec. Dorchester to Grenville (No. 31). Sends returns of naval officer for vessels inwards and outwards at the port of Quebec. 634
May 27, Quebec. The same to the same (No. 32). Sends estimate of the expense of the Indian Department for 1790. The sum is about £30,000, exclusive of presents for the acquisition of territory. The presents cannot be diminished without detriment. Should Sir John Johnson be appointed Lieut.-Governor of Upper Canada, and Alexander McKee be appointed Superintendent, there may be a saving of expense. 635
Estimate given in detail. 636
May 27, Quebec. Dorchester to Grenville (separate). Dispatches received. 637
May 27, Quebec. The same to the same (private). Thanks for confidential communications. Triplicates received and answered. 638

MINUTES OF COUNCIL AND MISCELLANEOUS CORRESPONDENCE—1790.

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June 7, Quebec. Dorchester to Grenville (No. 33). Encloses minutes relating to State affairs, from 1st January to 17th May, and concerning the Waste Lands, from 27th August, 1789, to same date. Page 1
Minutes 1st February. Application from the Bishop of Quebec (Anglican) for legal authority to raise funds for building churches and parsonages, referred to a committee. 1
A similar memorial from Kingston referred to the same committee. 2
Claim of Major General Christie for compensation for lands used by Government during the late troubles on this continent, referred to a Committee of the whole Council, to consider the question of claims generally. 2
Report of the Committee on the cultivation of hemp given in full and referred to a Committee of the whole Council. 4
Report on inland communication and navigation given in full recommends: 1. That friendly facility should be held up to countries and States whose local situation demands permanent intercourse with Great Britain and her colonies (17); 2. That owing to the situation of the countries on Lake Champlain and Vermont (given in detail), an exchange of commodities should take place (17). There is added a statement of products that may be profitably exchanged, as a reason for admitting these from the neighbouring States (18). 16 to 21
Memorial annexed from merchants, &c., trading from Lake Champlain, dated 27th July, 1789, and signed by Stephen Keyes and Jabez Fitch, for leave to import pig and bar iron into the Province of Quebec from Lake Champlain. 22
Proposed Bill to extend to bar and pig iron the leave to import certain articles, ordered to be printed. 24
Documents relating to the administration of justice, with report of the committee and its proceedings in full. 26 to 52
Minutes 2nd March. Report of the Committee on the cultivation of hemp, &c. 52 to 57

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Report of the Committee on Christie's claims, with proceedings. Page 57 to 64
Minutes 1st April. Report on the state of the public records. 65 to 195
Report of the Montreal members, respecting the circles of L'Assomption and Varennes, regarding the extent of jurisdiction, with correspondence. 195 to 221
Petition (in French) from Isle Jesus, praying for the erection of a circle, signed by Chatellier, notary. Patent ordered to be issued. 221 to 224
Memorial of Fraser & Young for the refund of the duty on rum paid by them. 225
Committee on public accounts appointed. 225
Committee appointed to examine the transcripts of the minutes. 225
Minutes 17th May. Memorial of the Bishop of Capsé (in French) on the state of education in the Province, with resolution that it be printed. (Mgr. Bailly de Messein.) 227 to 253
Final report respecting the records. 254
Extracts of fines, &c. 256
Committee appointed to examine papers relating to the King's domain. 257
Committee named on the state of the provisions. 258
Petition from Berthier *en haut* for a circle, referred to a Committee. 260
Minutes respecting Waste Lands of the Crown. Two schedules, marked A and B, of persons engaged in the defence of the block-house of St. John's and others at the affair of Bennington, to whom lands have been granted as a reward for their services. 263, 265
Minutes 9th November, 1789. Report of the Land Committee respecting the tract purchased from the Indians in the Township of Edwardsburg. 267 to 272
Ordered that the Board may issue certificates for the occupation of town lots and town parks in the proposed town in Edwardsburg. 272
Order that 500 acres be assigned to Francis Verneuil de Lorimier, the same to G. de Lorimier. 272
Order for four acres of land in the proposed town of Edwardsburg, suitable for a mill, to Major Peter Drummond, Captain W. Fraser, Thomas Fraser and Hugh Munro, jointly. 273
Resolution that a registry be kept of all loyalists, so that their posterity may be discriminated from future settlers, and that lands be given not only to their sons, but also to their daughters. 273
Report on the waste lands behind the seigniory of Bellechasse. 275
Claim of Messrs. Curotte to Grande Isle, opposite Cataraqui, referred to a Committee. 279
Minutes 24th December, 1789. Journal and report of Land Committee on a reference of the schedules of locations in the districts of Luneburg and Mecklenburg, reported by the Surveyor General's office. 280
Minutes 20th January, 1790. Continuation of the journal and report of the Land Committee, pointing out discrepancies between the entries in the schedule and in the surveys, which may lead to confusion. 284
List of grants in the Township of Lancaster, first concession. 295.
Second concession. 296
(Names of the grantees are given in both.)

MINUTES OF COUNCIL AND MISCELLANEOUS CORRESPONDENCE, 1790.

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January 20, Quebec.

Continuation of the journal and report of the Land Committee. List of grantees, third concession of Lancaster. Page 297

Index to the schedules of locations in Lancaster, with the names of the grantees in alphabetical order, showing the concessions on which are their lands and the number of acres to each. 298

Continuation of the journal, with reports from the Land Boards, correspondence, rules and regulations, &c., also schedules, namely:

No. 1. Names of reduced officers of the Provincial Corps who applied between the 17th of June and 9th of September, 1789, for lands, to the Land Board of Mecklenburg. 367

No. 2. List of old settlers who applied to the same Board during the same period for family lands and additional bounty. 369

No. 3. List of persons from the American States and elsewhere admitted by the same Board during the same period. 371

No. 4. List of lands granted by authority of the same Board, between the 1st of October, 1788, and 23rd September, 1789. 372

(The names of the grantees are given. The Journals extend to page 382.)

January 21 to May 17, Quebec.

Minutes of the Council on the Waste Lands of the Crown. Report by the Land Committee on petitions and other papers transmitted by the Land Board of Montreal. (List of the petitioners is at page 388.) The petitions to be referred to the Land Board of Luneburg to be dealt with. 383 to 390

Report from the same Committee on petitions from the Township of Hamilton, Bay of Chaleurs, district of Gaspé. (Petition with the signatures at page 395.) (List of inhabitants who have not yet received titles for lands, on which they have been settled since 1762, with the number of acres and the extent cleared, 399.) Petitions referred to the Land Board for the district of Gaspé. 383–402

Map and report of Parishes, grants and tracts occupied in the Province ordered to be prepared. 402

Report of the Surveyor General, and other business referred to the Committee. 404 to 406

Report of Committee on application for the King's Wharf by James Johnson and John Purss, with evidence and plan. (The plans at page 413*a*.) 407 to 413

Report on petition of Reverend John Doty for 2,000 acres of land. 414

Report on the inspection of schedules of the Land Board, as corrected in the Surveyor General's office. 417 to 427

Report concerning the town of Cornwall, formerly New Johnstown. In order to remove certain evils it is proposed: 1. That the present town plots of six acres one rod and twenty perches, be divided into six equal parts, containing one acre and ten perches each. 2. That all persons who have at present more or less land in their possession than this quantity shall be reduced or augmented according to that standard, with a reserve that the improvements shall be paid for before any possessions are relinquished. 428

Report on the dispute between Col. Gray and Mr. Empy. 431 and 434

Remarks on New Johnstown. 436

List of settlers holding "large tracts which are fenced round in the heart of the town, and the streets are included in these enclosures." 439

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The names given are:—

	Acres.
Joel Stone has about	40
Jacob Rambourg	9
Mr. J. Swan	12
Rev. Mr. Brian	3
Mrs. Bruce	12
Messrs. McDonell	12
Jos. and the heirs of Dan. Robertson	5
Lt.-Col. Gray has part of Point Maligne originally intended for a common for the use of the town; he claims of that point	40

Orders how surveys are to be made. Page 442

Respecting certain meadows in Carleton Township, Gaspé, with evidence. 445 to 454

Report on locations on the south side of the Ottawa River. 455

On the petitions of Thomas and Terence Smith and Joseph White, for Grenadier Island. 456

February 16, Detroit. Angus Mackintosh to Major Murray. Report by a Taway Chief, that a party of men close to Cahihago had ordered the British traders to withdraw; if not, that orders were given to plunder them and even take their lives. 485

March 10, Detroit. Extract from McKee's journal, that an American officer with a party was opening a road across the country to Cayahaga, and had told the Indians they would be obliged at last to send the English out of the country by force. 486

May 5, Detroit. Major Murray to Dorchester. Respecting Debon; his arrival; report of himself. The precautions taken to prevent him from doing mischief. His message to the Sakis, which the Pottawatomies are to send in, &c. 487

Debon (in French). Note of the route he intends to follow from Detroit to Quebec. His only purpose in the journey is to satisfy his curiosity. Dated at Detroit, 8 April. 490

Extract of a letter from Lieut.-Col. Harris, commanding the upper posts, dated Niagara, 16th May, respecting Debon. 491

May 5, Detroit. A. McKee to Sir John Johnson. Has returned from a tour to collect the Indians on the south side of the lake—respecting the purchase from them of land; they are inclined to comply with the wish of Government. Has dispatched messengers to assemble the Indians in this neighbourhood. Fears there will be difficulty with them about lands on the River Canard. It would not be good policy to force the Indians to remove from there. Hopes for compliance on the part of the Governor with his (McKee's) wishes. Is concerned to find that depredations have been committed on the Ohio by the Indians; they are chiefly Southern Indians, but mixed with Shawanese and Miamis. The mischief is so considerable that it will not be surprising if a force is sent into their country, although St. Clair has gone to accommodate matters, but it is doubtful if he can succeed, for reasons given. St. Clair is going to Post Vincent where a general meeting is proposed; the printed copies of the treaty at Muskingum create irritation. Debon, a French gentleman, had passed through the Indian country; but his business is not yet known. 480

May 18, Niagara. Debon to Dorchester. Not knowing the Colonial laws, he had resolved to return to Europe through Canada, to avoid returning by New Orleans and to see the Province and the Falls of Niagara. Gives an account of his journey from the Illinois, which he left on the 22nd of February; was arrested at Detroit and sent to Fort Erie on the way to Niagara,

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but prevented from going there till orders are received from him (Dorchester). Begs His Lordship to give orders that he may be taken to Montreal, whence he would go into the United States; or to Quebec, as directed. Lord Fitzgerald hospitably received by Don Perry at the Illinois. Page 492

May 20, Quebec. *Memoire* (in French). Mgr. Hubert, Bishop of Quebec, to Lord Dorchester, respecting the small number of priests; the causes and remedies. 461

June 5, Quebec. Report of the Committee of Council on the complaints made by the merchants and traders of Michilimakinak against Dease and Ainse, containing a summary of the statements made by Dease and Ainse in answer to these complaints. (Sent by Dorchester, with his letter of 21st June. No. 36.) 499

June 7, Quebec. Dorchester to Grenville (No. 34). Sends copy of letter from Bishop Hubert, declining the offer of any priests from Europe. He was told that the objection to receiving ecclesiastics from the dominions of the House of Bourbon would probably still be insisted on. Sends written declarations of two young Frenchmen, lately arrived, as to their character and views in coming to this country. It was reported that the Superior of the Seminary thinks of employing them there, but Bishop Hubert was told that would be an evasion of the inhibition against the introduction of ecclesiastics from the dominions of the House of Bourbon. The Bishop replied that there was no such intention on the part of the Seminary; it was only the talk of the town, which he thought it right to mention. 459

The declarations (in French) referred to in letter, from Jean Thomas Edouard Pierron de Mondesir and Jean Baptiste Roussel, both dated 18th May, 1790. 473–475

June 7, Quebec. Dorchester to Grenville (No. 35.) Encloses further intelligence from the upper posts. The mischief done by the Indians on the Ohio is so considerable that a force to stop it may be expected, though St. Clair, the Governor, is engaged in effecting another general meeting to settle differences peaceably. The solicitations of the Spaniards to get those Indians to remove to their side of the Mississippi, and the exertions of the United States to push settlements to Lake Erie continue. Respecting Debon, a French subject, and his schemes in the interest of France. Has ordered him to be sent from Niagara into the United States. 477

(Schedule of enclosures; the correspondence of 16th February, 10th March, 8th April, and 5th, 16th and 18th May, 1790, are calendared at their respective dates.) 479

June 7, Quebec. Dorchester to Grenville. Continuation of the key to certain communications. 495

Key 496

10. Mr. Patterson, a member of the Senate.
11. Mr. McCormick, a merchant at New York.
12. Mr. Jay, Chief Justice.
13. Mr. Telfair, a merchant of Great Britain.
14. Mr. Scott, a member of the House of Representatives, from the Counties of Pennsylvania, West of the Alleghany Mountains.
15. Mr. Ogden, of New Jersey.
16. Mr. Taylor, Sheriff of the County of Clinton. in the State of New York.

June 21, Quebec. Dorchester to Grenville (No. 36). Sends report of the Committee of Council on the conduct of Dease and Ainse, Superintendents of Indian affairs. The Superintendent General goes West to make inquiries into the management of the Department, the condition of the Indians, &c. A copy

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of the report has been given to him, so that he may make inquiry regarding the information desired by the Committee. Page 497

June 21, Quebec. Dorchester to Grenville (No. 37). Remonstrances sent to the Indians on the Ohio for their cruelty to prisoners. Eight escaped prisoners who came to Detroit have been sent to their friends in the United States after being supplied with provisions. 504

June 21, Quebec. Same to the same (No. 38). Further respecting counterfeit certificates of British Plantation Registry and Mediterranean Passes. Information was obtained from Azariah Pritchard, a half-pay Captain of Rogers' corps, but it is suspected he is himself concerned in the frauds. The seizure of the schooner "Fox" may lead to a discovery of Pritchard's conduct. 505

Letter from Lieut.-Governor Cox, with a deposition concerning the method of obtaining counterfeit certificates, dated New Carlisle, 3rd June. 506

Deposition by John Meyers of a counterfeit certificate having been sold to the United States schooner "Lively" by Azariah Pritchard for $15. 507

Certificate by Samuel Moss and Warren Cooke of Boston, Mass., that they purchased counterfeit certificate from Pritchard for their schooner "Dove," for $15. 509

July 7, Quebec. Dorchester to Grenville (No. 39). Will give up his desire to return to Europe this season should his presence be required in Quebec. Has described the condition of the posts and the inefficient state of the militia in the lower parts of the Province. His efforts to prepare the minds of the people for the organization of the militia, the only means for bringing forward the strength of the country for its own preservation, but even then it must be well supported. Major Beckwith sent to New York; furnished with instructions to authorize him to speak on public topics; the value of his services; his short visits to the United States do not, however, admit of his following the chain of events or attending to the different changes to which that Government is still liable. 516

Instructions to Major Beckwith, dated 27th June, on his going to New York to urge the maintenance of a good disposition between the two countries and call attention to the claims of Spain, which affect all the world, including the United States. 518–521

July 7, Quebec. Dorchester to Grenville (No. 40). Sends state of the Council for Quebec. Has not been informed of the state of the Councils of Nova Scotia and New Brunswick, but shall send the information when received. 525

List of the Councillors for Quebec, 7th July. 526

July 7, Quebec. Dorchester to Grenville (separate). Dispatches received. 527

July 20, Quebec. Same to the same (No. 41). Sends list of vessels belonging to the United States furnished with counterfeit passes. The person giving the information is himself under suspicion of being concerned in this illicit trade. 529

The list follows, but no name is attached to the paper. 530

July 21, Quebec. Dorchester to Grenville (No. 42)). Sends returns of vessels entered and cleared. 531

July 21, Quebec. Same to the same (No. 43). Submits the wisdom of allowing the produce of America, of whatever kind, coming by land or inland navigation to Quebec or Montreal, to be exported under the same regulations as the produce of the Province; the gain to the Province resulting from the passage of commodities through the country, and to Great Britain by the increase of her carrying trade. It might not be advisable

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to open at once these advantages, but to leave to the Governor the power of extending them. Whilst there should neither be encouragement nor hindrance to the Americans settling to the South of the lakes and River St. Lawrence, yet their progress should be watched, and means taken that all settlements (on the Canadian side) should be established with justice, moderation and liberality, and that an alliance should be formed with the Americans, as soon as all things are matured; their own interest alone can, however, give duration to any of their engagements. Page 532

July 26, Quebec. Dorchester to Grenville (No. 44). Arrival of a party of Creek and Cherokee Indians accompanied by a Mr. Bowles, who held a commission in the Maryland loyalists. The party had gone to the Bahamas on the way to England, but had been advised by Lord Dunmore to come first to Canada for information and instructions. They also ask for assistance to continue their journey. Believing their journey to London might occasion trouble, he had advised them to leave their addresses, which he would forward, and send them the King's answer. They being averse to this, he thought it better to let them take their own way; in event of a war with Spain, their Confederacy might be useful. Their attachment during the war; their dissatisfaction with Spain. Their chief objects seem to be the obtaining of arms and to be under British protection. Their resentment against the States might be appeased by more liberal treatment under the King's protection. 535

The enclosures (9 in number) consist of two letters from Bowles, of 7th and 14th July, explaining the object of the mission. 539-543

Answer by Dorchester, undated. 545

Letter from Bowles, 16th July. 548

Address from the Chiefs of the Creek Nation to the King agreed on at a Council held on the 7th May, 1789, at the Cussatus in the Lower Creek. 551

Memorial of the Kings and Chiefs of the Cherokee Nation, to the King, adopted at the Council held on the 6th May, 1789, on the banks of the Chattahooche River near the Cometah Town. 557

Advice given to the party by Lord Dorchester. 562

Letter from Bowles, dated 23rd July, that the party cannot leave the message to be forwarded. Asks that the party be sent forward. 564

Answer from Dorchester (undated), that he cannot interfere further. 567

August 4, Whitehall. Grenville to Dorchester (No. 29). Dispatches received. Laments the depredations committed by the Indians on the Ohio and near Detroit. The embarrassment that may be caused by the Americans sending a force against them. Hopes that Butler's exertions and the messages of remonstrance may prove effectual to restrain the Indians. His (Dorchester's) expected return renders discussion by letter respecting the Indian Department unnecessary. 510

August 4, Whitehall. Same to the same (No. 30). Had received information that the Bishop of Quebec had declined the offer of a supply of priests under the proposed restrictions, and that the state of the Seminary justifies the expectation that the service of the Roman Catholic religion in Canada may be supplied from thence. His (Dorchester's) course in intimating that the objection to the admission of priests from the dominions of the Bourbons would continue to be insisted on, is approved of, also for his having discouraged the admission of the two young Frenchmen to the Seminary. 512

August 4, Whitehall. Same to the same (No. 31). Clarke appointed Lieut.-Governor of Quebec; he will sail by the packet which carries this letter. He (Dorchester) may return as soon as Clarke arrives, but trusts that His

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Lordship may not avail himself of this permission should circumstances seem to require his continuance in Quebec. Page 514

September 1, Whitehall. Grenville to Dorchester (No. 32). The depositions sent lead to strong suspicions that Azariah Pritchard has been concerned in counterfeiting certificates of registry. Immediate information to be sent of the result of the proceedings in the case of the "Fox," so that it may be determined what steps shall be taken to discourage such practices. 528

September 5, Whitehall. Same to the same (No. 33). Sends report of the Lords of Trade approving of sending out 2,000 bushels of hemp seed, and a dozen sets of samples of Russian hemp. They also recommend persons being sent from Russia, Poland and Livonia, conversant with the growing and preparing of hemp. The Consuls in these countries have been written to, so that they might obtain intelligent persons. Bills to be drawn on the Treasury for the payment of bounties for the cultivatiou of flax and hemp. 568

Report from the Lords of Trade on the subject of the cultivation of flax and hemp. 571

October 5, Whitehall. Grenville to Dorchester (No. 34). Has received communications from Beckwith since he returned to New York. Approves of his course with respect to Bowles and the Indians; they have not yet arrived. 579

Letters from Lord Dorchester to Mr. Grenville—1790.

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September 25, Quebec. Dorchester to Grenville (No. 45). Dispatches received, which he hopes to answer by the close of navigation and to send the papers relative to the Jesuit estates. Page 1

September 25, Quebec. Same to the same (No. 46). The reasons for his proposal to extend the privilege of naturalization to foreigners; the benefit this measure would be to the Province. Consideration of the clauses necessary and of the power that should be conferred on Provincial Legislatures in dealing with this subject. The question of the conversion of the tenure of lands into free and common soccage referred to a committee; he sees at present no practical mode for an instantaneous and universal change. The good effect that would be produced were the Crown to set the example in the seigniory of Sorel, the lands of the Jesuits and other parcels of the King's domain. At all events, by this step the people would be emancipated from the continuance of burdens. Has sent the proposed clause to the Lieut. Governor of New Brunswick for his consideration and remarks on the local circumstances. 2

Reference of the question of tenure to a Committee of Council. 6

September 25, Quebec. Dorchester to Grenville (No. 47). The prospect of a war with Spain seemed a proper occasion to call on each of the Provinces for its own defence, so that the troops might be united for general defence. General orders respecting militia issued for this Province and sent to Nova Scotia and New Brunswick for consideration. Corps formed for the militia are the only reinforcement that can be had on a sudden emergency. A certain number always embodied, one-half or one-third to be discharged annually and replaced from the mass, will be the means of restoring habits of military service and revive a spirit of national defence. The caution necessary to prepare for the embodiment. The wisdom of relying on the people for their own defence. The advantage of a respectable corps near the eastern coast of Nova Scotia and importance of completing the road to New Brunswick, so that these two Pro-

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vinces could be a mutual support to each other. Intends to withdraw the companies from the Island of St. John and Cape Breton next summer. Page 8

General orders for the militia of the Province of Quebec, (English.) 12

In French. 15

September 25, Quebec. Dorchester to Grenville No. (48). Sends certain communications, in continuation of those in letter No. 27 of 27th May last. 18

The communications which follow are marked:

Supposed 7. That there is the most serious disposition on the part of the United States Government to effect a perfect understanding with Great Britain. It is difficult at the present moment to say much of an alliance, but the United States are entirely unconnected with Spain and prepared to go into the consideration of the subject. Any speeches in the Indian country suggesting hostile ideas about the posts are unauthorized. Any negotiations should be carried on at the seat of Government in the United States. 19

Supposed 1. Madison continues indefatigable in the pursuit of his plan for discriminating duties; a committee received it coldly. It is uncertain if the Senate will take it up this Session. Jefferson is a decided Republican and devoted to French interests. The advocates of discriminating duties gain ground from the enforcement by Great Britain of the Navigation Laws. The real object of these gentlemen, however, is to throw the trade of the States into the hands of France. It is unfortunate that Jefferson holds his present office, as he cannot be confided in; Jay has more liberal sentiments; so have Hamilton and General Knox. The high character of Hamilton. Jefferson thought to be in great favour with the President; it is to be hoped that no influence will induce Washington to neglect the real interest of the country, whatever his private predilections. The real interest is in a strict neutrality. 21

Supposed 11. The uneasiness caused by the late explanation of the trading Acts by the Commissioners of Customs. Statement of its prejudicial effects on American commerce. 23

Supposed 14. The disorders in France apparently not yet settled. The interest attached to land in the Western Territory, a part now settling on the further bank of the Ohio by emigration from France. This emigration the French Government has used every means to discourage, and the dangers from the Indians have been dwelt on; but the President has promised protection to these settlers. There is also a large district on the Mississippi, opposite the Spanish post of St. Louis, of which the Spaniards are jealous. The idea of the British trading with Spain makes a forcible impression, and the possession of New Orleans by Britain is one the Americans feel deeply interested in. The navigation, commerce and fisheries beyond Cape Horn are important; the dismemberment of the Spanish Monarchy, and the opening of South American commerce seem to hurry on an event hitherto considered remote. General Knox would be eager to promote national friendship and would be a proper man to command troops to clear away the Spanish posts on the Mississippi, whilst the British attacked New Orleans. This effected, an American army could be conducted into Spanish America; there are now nearly 300,000 souls (Americans) beyond the Alleghany Mountains. Further discussion of the Spanish question. 24

Supposed 7. Advice as to how negotiations are to be conducted. 31

September 25, Quebec. Dorchester to Grenville (No. 49). Sends continuation of communications. 34

Conversation with "Supposed 7" respecting the appointment of a Minister to London; Indian affairs; arrival of Creek Indians at Halifax, sent to Quebec, &c. 35

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Supposed 17. Expected arrival of Lord Dorchester in the States on his way to Europe. The system of government in the States copied as closely as circumstances would admit from that of Great Britain. He (17) looks forward with pleasure to a settlement of all differences, and that the two countries may shortly be connected by treaties. The advantage to be derived from British markets. Wishes that the navigation laws might be relaxed; the importance of this to the States. Page 40

Supposed 1. The last session has lowered Congress in public opinion, for reasons given. The conduct of the Connecticut delegates has been uniform and rational; the measures they proposed. The question of the seat of Government; likely to be Philadelphia; it is not probable it will be fixed further South. Question of a successor to the President had any accident happened to him; Jay more likely to succeed than Adams. Madison's Bill for the discrimination of duties cannot be brought forward this session. Character of those supporting it in the Senate and their reasons for it. 42

18. Doubts if there shall be war between Great Britain and Spain. Conversation on the subject between 18 and 14. 46

18 and 19. Respecting Indian affairs; treaties, &c. 48–54

(A note says "19 is appointed a Brigadier General in the service of the United States, wore the uniform in public when the treaty was signed by the President, and has an annual appointment of twelve or fifteen hundred dollars").

20 Proposes to form a settlement at or near the confluence of the Mississippi and Missouri Rivers; discusses the project from various points of view and at some length. 59

7. Added that an expedition would be sent to the Indian country, but that it had nothing to do with the posts. 71

September 25, Quebec. Dorchester to Grenville (No. 50). Sends further communications. 73

"Last night" (no date given). "21 sailed for London; he is much esteemed by the President, and a man of some knowledge, awkward in his person and manners, rather self-sufficient and apt to entertain high notions of his own importance." "22 will sail to-morrow for London; this gentleman not considered to be a man of capacity either in political or in commercial matters, and it is understood that no salary is annexed to his employment." 74

September 25, Quebec. Dorchester to Grenville (No. 51). Sends minutes of Council concerning State business, from 18th May to 21st July. 75

Minutes. Report of committee on accounts presented to Council on 21st July, with details of proceedings, schedules, &c. 76 to 110

Report of a committee on the memorial of Fraser and Young for a refund of duties paid on rum. The prayer of the memorial was granted. 110 to 116

Report respecting Davison and Lees' return of provisions, with proceedings, evidence, correspondence and tables. 117 to 155

Report on the memorial for the erection of a circle and court for the trial of small causes at Berthier. 156

The petition (in French). 158

Report by Committee of the whole Council on the memorial of the flour manufacturers. Report in full with other documents. The report of the private committee relates generally to trade, and discusses the following questions: 1. Will the trade and navigation of the Empire gain or lose by the alterations prayed for by the memorialists? 2. What will their effects be, if granted, upon the general interests of the Province? 3. How far will they operate on the interests of the West Indian planters? 4. What diminution will they occasion in the pro-

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vincial revenue, levied under the 14th of His Majesty ch. 88? 5. How is the diminution to be made up, and by what authority?

The answers are detailed, giving extract from the instructions of 1783, renouncing the right of taxation, account, tables of duties collected, and other documents, proceedings and correspondence. Page 160 to 281

LETTERS FROM LORD DORCHESTER TO MR. GRENVILLE—1790.

Q. 46-2.

The following documents relating to Indian affairs from page 395 to

1789. 540, were enclosed in Dorchester's letter of 17th October.)

December 26, Michilimakinak. Captain J. Parr (60th) to LeMaistre. Reports the investigation he had made into complaints by Indians of the bad rum supplied. He had discovered improper practices on the part of the storekeeper, which

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January 21, Quebec. Dorchester to Sir John Johnson. The discontents among the Indians appear extraordinary to all acquainted with the benevolent intentions toward them. This spirit should actuate all the King's servants, but before it reaches the Indians it seems wonderfully changed. Discontent is not usually returned for acts of kindness, and the Indians are certainly not deficient in gratitude. After the expense in providing for the Indians there must be some reason for so unnatural an effect being produced. Calls attention to the violation of the rights of hospitality toward a few distant and friendly Indians, in disregard of the regulations, and to the refusal to supply the Six Nations at Niagara, in consequence of the absence of the Superintendent, which absence must be explained. Asks also for an explanation of the slights complained of by Joseph Brant and David when they were at Niagara. Desires his (Sir John's) assistance to investigate and remove the evils. There has been no change in the regulations, nor diminution in the King's bounty. Calls attention to the abuses in connection with Indian stores, and to the rules laid down to prevent these. Should Butler still desire to leave the service he should speak out, as a suitable person must be in constant attendance at the post. No absence must be permitted without proper leave. When the Superintendent at Niagara absented himself, a proper person should have been substituted and the absence reported. The positions given Butler and his relations should satisfy him, and the bare report that he had acquired large tracts of land should pique his honour to avoid the least appearance of lukewarmness or neglect. The allowance to David (the Mohawk) to be increased from £30 to £45 a year. 395

January 27, Michilimakinak. C. Gautier to Sir John Johnson (in French). Respecting the charge by the Indians of supplying them with bad rum and complaining of the restriction of the supply of coal, &c. 429

January 28, Montreal. Sir John Johnson to Dorchester. Has forwarded to the upper posts extracts from His Lordship's letter (21st January). His astonishment at the discontents of the Indians; the efforts he has made to impress them with a sense of gratitude; regrets he did not commit to writing a few of their acknowledgements. The work of emissaries to estrange them. Cannot understand the treatment of the Southern Indians at Niagara; explains the cause of the agent being absent, and the reason of the dissatisfaction of Joseph and David. The cause of the dissensions among the Mohawks. Had not heard of the loan and repayment of goods with the King's mark on them; the sale of such goods at a private shop could only be accounted for by the Indians having disposed of them to the owner, and that could only have been when they received their goods in

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bulk to pay for their losses during the war; but it shows the necessity of enforcing the regulations. Has never heard Butler say he wished to quit the service, but is told that he has lately said so. Is pleased that David's pension is augmented, Sends letter from McKee. Page 404

March 2, Niagara. Street & Butler to Butler. Explain their transactions in the barter of goods with the Indians, of their loans of goods to Detroit and repayment, &c. 419

March 3, Niagara. Butler to Dorchester. He is more hurt in his feelings than he has ever before been during his forty years service. The estimate of his character seems to have changed lately to a feeling of suspicion and distrust. Defends his conduct during his whole service; the erroneous report of his having accumulated a fortune. His desire to continue in the service till his death. 422

April 12, Quebec. Motz to Sir John Johnson. To ascertain if, as reported, persons in the King's service and others are possessed of lands, outside of the lines in the upper part of the country, and that they hold these by titles derived from the States, or subjects of the United States. He is to obtain and send full and special information on the subject. 426

April 15, Nassau. David and Aaron Hill to Sir John Johnson. The Six Nations are desirous of obtaining the deed for the lands on the Grand River. Reported hostilities in preparation by the Americans. Ask that a surveyor lay out the boundaries. A number of the Six Nations mean to move over and ask for provisions. 438

May 2, Niagara, Butler to Sir John Johnson. Has received extract from Dorchester's letter. In explanation of complaints of the Indians, he says that he does not know of any uneasiness among the Indians; that some of the most distant observed that what they received was not worth coming so far to get; that the Mississaugas complain of the delay in the payment of the land bought from them. The disputes amongst the Mohawks arose from drunken frolics and had been settled. The unexpected arrival of Western Indians during his absence from Niagara; the commanding officer could have called on the interpreter and acting storekeeper to have given the presents. He (Butler) had leave of absence. Has never heard of any slight to Joseph or David at Niagara. Explains that Indian presents were deposited at his son's store, which has no communication with the shop, there being no room for one-fifth of them in the Indian stores. Sends letter from Street & Butler to explain the reason of Indian goods with the King's mark being sold at their store. Defends his own course at some length. 411

May 18, Niagara. Same to Harris. Explains respecting the land transactions, that Oliver Phelps & Co. had purchased a large tract from the Five Nations in 1788, and offered part at the same price to some inhabitants of this place, which offer was accepted. Believing it to be improper, all gave up the land but Street and Barton. He (Butler) had however got from Phelps a deed for 10,000 acres for relations in New England, with a promise of 10,000 more. The Indians lately made Sir John Johnson and himself a present of a tract of land; but Sir John having refused it, he had done the same. His only object in accepting the present was to be of benefit to his friends in the States, and Lt.-Col. Hunter told him he saw no impropriety in his getting lands from Phelps for that purpose. 453

May 20, Quebec. Dorchester to Sir John Johnson. The Indian intelligence sent by Butler on the 15th April, that hostilities are intended against Oswego and Niagara, and that the Indians wish to know the boundaries of land given to them on the Grand River, appears extraordinary. It is not desirable that the Indians should leave the country; wishes for Butler's reasons for thinking differently. The description of the boundaries on

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the Grand River should be in Butler's hands. Cannot understand the benefit to the Indians of removal to the Grand River; believes that those who have obtained grants of land in the Indian country have originated the report of proposed attacks on Oswego and Niagara, as he cannot persuade himself the Americans mean to begin war. Precautions should, however, be taken, as it is evident the Indians have been tampered with. Instructions to that effect. Butler was wise in desiring the Five Nations to call in their scattered people to prevent them from being involved with the Southern Indians. Page 432

May 24, Montreal. Sir John Johnson to Dorchester. Can only think that Butler's reason for encouraging the Six Nations to remove to the Grand River is to prevent them from being detached from British interest and to give them liberty to act in case of necessity; but it is not improbable that those who may have obtained land from them may be encouraging them to abandon their country. Dorchester's sentiments have been communicated to Butler, and Brant has also received written directions. Butler and the Six Nations know the extent of the lands; the enclosed letter will show the object of the inquiry. Shall take precautions ordered, but does not apprehend any danger from those threatening; thinks there is more from Eastern people settled in the neighbourhood of Oswego and Niagara. The good effect of strengthening Oswego, and to be ready to arm the militia in case of invasion. 435

May 26, Niagara. Lt.-Col. Harris to LeMaistre. That Butler had shown him a sketch of a tract of land to the Eastward of this, which he meant to take up. He (Harris) had expressed disapprobation, but the business went on and a deed was obtained from the Indians. Sends letter from Butler (18th May). The case is as follows: A set of people, called the Niagara Company, have obtained land in the States near Genesee; there are 14 shares, each consisting of 22,000 acres. The partners are: Lt.-Col. Butler, Capt. Powell, Lieuts. Johnson and Dockstader, Street, Barton (from the States, residing when here at Street's); Murphy, the blacksmith; the lands to be held in other names, under title from Phelps, Goreham & Co. Believes Street, when he alleged he had gone for his property, had really gone on this land jobbing business. 451

May 31, Quebec. Dorchester to Sir John Johnson. Though he does not think that the United States have any hostile designs, yet it is necessary to be prepared. Oswego to be strengthened and arms to be prepared to be issued to the militia. Return to be made for the arms restored to the loyalists in the upper country, and what further quantity should be deposited at the upper posts. Asks his opinion of the advisability of embodying a battalion of militia in the upper country. Quarrels among the Mohawks on the Grand River; fears that an accession of other tribes will renew these evils. 440

June 17. Same to the same. Instructions to him to proceed to the western parts of the province to investigate:

1. The conduct of the officers of the Indian Department.
2. The true temper and disposition of the Indians.
3. To inquire into the report that persons in the King's service are obtaining deeds of lands outside of the boundaries settled by the Treaty of Peace.
4. Respecting ill-founded claims to land and pretended titles within the boundary line.
5. Generally, to give his aid in all matters interesting to the prosperity of the Western settlements.
6. To effect a purchase of Indian lands on the north of Lake Erie up to Lake Huron.

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7. To investigate the complaints of disbanded rangers settled under Caldwell near Detroit, in 1784.

8. To give the necessary orders on the spot regarding the Indian Department, and to report on his return respecting the object of the instructions, and on all points connected with the security, comfort and welfare of the loyalists, the advancement of the King's service, and the prosperity of his subjects in that part of the province.

The instructions enter into details under the different heads. Page 442

June 17, Quebec. Dorchester to Sir John Johnson. In addition to the instructions in clause 3, he is to investigate reports as to the transactions in Indian lands, in which it is reported Butler is engaged. 449

June 21, Quebec. T. A. Coffin to the same. Lord Dorchester considers it best to defer consideration of the reinstatement of Gautier till he (Sir John) returns. His Lordship suggests that storekeepers should be appointed, not under control of the agent, who should be held accountable for all goods received and issued. It seems to be a struggle on the part of the officers of the Indian Department for liberty to dispose of public money and effects as they please. The commanding officer of the post must be made acquainted with the disposal of the stores, for which his approbation is necessary. All persons having the charge of public money or effects are subject to examination, and it is unseemly for the inferior branches of the Indian Department to oppose it. In the meantime, suspicions of improper practices have gone abroad, which these officers should be interested in disproving. 455

July 21, Quebec. Continuation from A 46—1 of documents attached to the report of committee on the memorial from manufacturers of flour. 283 to 289

Report respecting the disposition of the ancient French records. 290 to 295

Other subjects referred to committees. 295

September 13, Lachine. Sir John Johnson to Dorchester. Report of his investigation in accordance with the instructions in letter of the 17th June, the details being given for each of the heads of instruction. Papers are enclosed giving particulars of the information collected. 458

Enclosures. (*a.*) Conference with the principal Chiefs of the Huron Confederacy, several Chiefs of the Mohawks, Shawanese and Delawares being present, held at the Huron village on the 15th August. 470

(*b.*) Account by William Johnston, interpreter at Niagara for the Six Nations, of the transactions with respect to the sale of the Indian lands. 1. Of the Six Nations with Livingston and Benton at Buffalo Creek, on the 20th October, 1787, (p. 479); 2. Return of the Warriors and conference on the 25th November on the subject of the sale of lands by some of the young men, which the Chiefs were resolved to resist (479). Meeting at Buffalo Creek in April, to consider a Message from Governor Clinton, asking them to attend a meeting at Fort Stanwix and report of subsequent proceedings, transfers of land, &c., in May and June (481 to 490). 479 to 490

(*c.*) Ralfe Clinch to Sir John Johnson, dated Nassau, 28th August, 1790. Statement relative to the formation of the Niagara Company and the acquisition of land from the Indians by Street and others. 491

(*d.*) Joseph Brant to Sir John Johnson, dated at Nassau, 28th August. Respecting the purchase of Indian lands by Phelps. 496

(*e.*) Augustus Jones, dated Nassau, 30th August. That at the Indian Council at Buffalo Creek in May, 1788, he had warned Butler that a spy was watching proceedings, and that in the fall of 1788 Butler asked him if Street had proposed that he (Jones) should go on a survey to the Genesee River. What passed with Mr. Street afterwards. 498

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(*f.*) Substance of a private complaint made by the Chiefs of the Senecas, on the 24th August (the report dated 25th). They complain of the alienation of land by one Allen, to whom it had been deeded in trust for his children by a woman of their nation. They complain also that William Johnston and Timothy Murphy of the Indian Department had been paid £100 each by Allen for the help they gave him in respect to the land. Page 500

(*g.*) Butler to Sir John John Johnson, dated Nassau, 30th August, giving a detailed account of transactions respecting Indian lands, from 1784, and justifying his course in the Indian Department. 502

(*h.*) McKee to Sir John Johnson, dated Detroit, 25th May, giving an account of the Huron Reserve, &c. 512

(*i.*) Report of the Council held at Detroit, 19th May, with the Ottawa, Chippawa, Pottawatamie and Huron Nations, Major Murray, of the 60th, Indian officers and others. A list is given of those taking part officially, besides a note that there were present "Officers of the Militia, Principle Magistrates, and a number of Gentlemen Citizens." The names of the Chiefs are also given. The council was held respecting the cession of lands extending to that ceded by the Mississaugas. 516

(*k.*) McKee to Sir John Johnson, dated Detroit, 13th June. Report from Sandusky that St. Clair had called a council of the Western Indians to make peace; that an army was preparing in case of their refusal, and that the troops would march by different routes and assemble at the foot of the rapids at the Miami, whence they would proceed to Detroit. The report has been confirmod. The Indians have been advised to sit still; if compelled to retire it will destroy the King's influence. The Delaware Chiefs report unfriendly designs on the part of the Spaniards. 523

September 19, Miami Rapids. McKee to Sir John Johnson. Arrived on the 3rd and has been waiting for the Indians to come with their supplies; they are now on their way and will be here in a few days. Sends report from Sandusky respecting the movements of United States troops, and the intention to have settlements here and at the Miamis towns, which must materially affect Detroit and destroy the trade; the Indians must no doubt have to retire before so formidable a force as is preparing for this service. 530

Report referred to above, signed by Obadiah Robins, Nicholas Weatherholt and August F. Weybeck. 532

September 22, Detroit. Major Smith, 5th Regiment, to LeMaistre. Gives an account of the three men who signed the report forwarded by McKee on the 19th September (pp. 530-532). He gives additional information as to the manner in which the United States troops were raised and how they are supplied with provisions. 538

September 25, Quebec. Dorchester to Grenville (No. 52). Sends minutes of Council concerniug the waste lands of the Crown from 18th May to 21st July. 297

Minute, 18th May. Report on application by Messrs. Lorimier referred to a committee. 298

Report on application from René Amable de Boucherville, for an exchange of land on Lake St. Francis. Petition granted. 298

Report from Land Committee. 301

Journal of the same. Applications on 7th May from loyalists and others; the names, terms of petitions and recommendation in each case being given in full. 302 to 306

Continued on the 14th May. 306 to 313

The same on the 21st. 313 to 321

Two plans of harbour and town of Kingston follow.

Further report of Land Committee. 322

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Journal continued, 25th June. Applications, names, &c., as at previous dates. Page 323 to 331

Special meeting, 28th June. Report on land maps prepared in Surveyor General's office. 332 to 339

Further report of the Land Committee on application from James Tod, of Montreal, for a beach lot on the St. Lawrence. 340 to 343

September 25, Quebec. Dorchester to Grenville (No. 53). On account of the insufficient evidence against John Hook, *alias* Smith, and Rachel Hook, *alias* Smith, on the charge of murdering John Baldwin; he has postponed the execution of the sentence, and recommends John Hook to pardon on condition of his leaving the country. For reasons stated, has liberated three Indians charged with murder and kept in gaol since August, 1788. Respecting other criminals, who must be released or sent to England for trial, in consequence of the present state of the law. 344

Proceedings and evidence in the trial of John Hook, *alias* Smith, and his wife, held at Johnstown, 3rd September, 1790. 348

September 25, Quebec. Dorchester to Grenville (No. 54). Indians informed of the King's displeasure at their taking prisoners on the Ohio. The prisoners given up, have been treated kindly, furnished with provisions and sent back to Fort Pitt. The Indians not to receive any ransom for them. 377

September 25, Quebec. Same to the same (private). Had understood that Sir John Johnson was to be Lieut. Governor of Upper Canada. The holding of that office and of the Superintendency of the Indians by the same person is improper. Sir John's desire for leave of absence. The proposal to make him Colonel of a battalion of militia embodied from the loyalists. Sir John is disappointed at the failure of his expectations by being reduced on the conclusion of the peace after his faithful services. The cause of the disappointment in his military rank is due to him (Dorchester), as he had been, perhaps, over-cautious in that respect during his first command. The claim of Sir John superior to those of many who have obtained higher rank than he. His natural dissatisfaction will probably be shared by the loyalists. Recommends that he be appointed Lieut. Governor of Upper Canada and in command of a battalion of militia, and that Simcoe should succeed him as Superintendent General of Indian Affairs. 378

September 25, Quebec. Same to the same (private). Continuation of a key to certain communications. 384

Key:— 385

17. Mr. Ames, a representative from Massachusetts, who, as a speaker, is considered to be the rival of Mr. Madison.

18. Mr. Richard Henry Lee, a Senator from Virginia.

19. Colonel Alexander McGillivray.

20. Mr. Isaac Sherman, holding, or having held, an appointment under Congress of Surveyor on the part of Connecticut, and having commanded a regiment in the army of the United States.

21. Colonel Humphreys, aide-de-camp to General Washington during the war, and secretary for the French Embassy after the peace, since which he has in general lived in the President's family.

22. Mr. Knox, brother to the Secretary at War, appointed Consul for the port of Dublin.

September 27, Quebec. Motz to Sir John Johnson. Disapproval by Lord Dorchester of an expression in the instructions to Gauthier, of the Indian Department, to be communicated to the Indians, which can be construed as a mark of an unfriendly disposition towards the United States. The instructions are to be withdrawn and others substituted. The importance of pre-

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serving peace, not only amongst the Indians themselves, but also between them and the United States. Further remarks on the instructions. Page 526
(In Dorchester's letter of 17th October.)
September 30, Lachine. Sir John Johnson to Motz. Why he inserted the expression disapprov d of in the instructions sent to Gauthier. He shall withdraw these and substitute others. 529
October 10, Quebec. Documents relating to the suit against Guy Johnson and Taylor & Forsyth, with a statement of the proceedings in the civil courts, signed by Jenkin Williams. 534
October 17, Quebec. Dorchester to Grenville (No. 55). Has received leave of absence, of which he will take advantage in Spring. 386
October 17, Quebec. Same to the same (No. 56). Remarks on the Indian Department; the character of the officers; the promotion of Butler from being an interpreter to his present position. The abuses in the department, and the means taken to remedy them, but which, as yet, have had little effect. The honesty of Sir John Johnson; the difficulty of reducing the department to method is shown by the correspondence enclosed. 387
Schedule of correspondence enclosed. (The letters and documents calendared at their respective dates.) 390

MINUTES OF COUNCIL, &c.—1790.

Q. 47-1.

1790.
October 17, Quebec. Dorchester to Grenville (No. 57). Sends Minutes of Council on State business and concerning the waste lands of the Crown, from the 22nd of July to the 25th of August. Page 1
Minutes, dated 25th August. Report on the Jesuit Estates, dated 18th May last and 20th inst., to be deposited in the Council Office; copies to be prepared and transmitted of this and of other papers; access to be given to all persons conceiving themselves to be interested, and copies furnished to those desirous of obtaining them at their own charge. All representations to be reported to Lord Dorchester, and an intimation that they will be heard to be made to each of the Commissioners, to Lord Amherst's agent, to M. Hubert and to any other who may appear to be interested. 2
Report respecting inroads into, and the condition of the Province on the south side of the St. Lawrence. The proceedings of the committee, in the form of a journal, are given in full. 3 to 25
Report on Pownall's claim to the custody of the French records of the district of Three Rivers. 25 to 33
Report respecting the circle at La Prairie. (The question of limits.) 33 to 38
Respecting the sale of provisions sent out by Government. 38 to 41
Respecting the taking off the embargo laid by the Ordinance, chap. 9, of last session, on articles of provision therein mentioned. Memorials, correspondence, &c., in full. It was resolved to open the port. 41 to 45
Respecting amendments to the Ordinance on Militia. 45
Minutes of Council on waste lands of 25th August. Report on the case of the Messrs. Lorimier, with the proceedings, including evidence, &c. 47 to 72
October 17, Quebec. General Alured Clarke to Grenville. Had arrived on the 7th; his commission as Lieutenant Governor published on the 8th. 73
October 24, Quebec. Dorchester to Grenville (No. 58). Sends reports and plans of the interior parts of the Province, prepared by the Commanding Engineer. 74

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The report is described in the schedule as: "Copy of a report concerning the several posts and communications from Carleton Island, at the head of the River St. Lawrence, to the Falls of St. Mary near Lake Superior; dated 6th December, 1788." The report gives minute details, and covers 63 pages. Page 77 to 139

A plan of Torento (Toronto) Harbour, with the proposed town and part of the settlement, follows page 139, on a scale of one mile to two inches. Translation of the journal of a survey of part of Lake Ontario, beginning at Carleton Island and continued along the East and South shores of the Lake to Niagara, done by H. Laforce, an officer of the Marine Department, and Lewis Kotté, Assistant Engineer. The journal covers 47 pages, and extends from the 12th June to the 26th September, 1789. 140 to 186

Journal of a survey of the South and West shores of Lake Erie in 1789 by Henry Ford, Commander of one of His Majesty's vessels, and Patrick McNiff, Assistant Surveyor. 187 to 212

October 24, Quebec. Dorchester to Grenville (No. 59). Sends map of part of Canada. 213

October 24, Quebec. Same to the same (No. 60). Sends information relative to the navigation of Lake Champlain in report of the officer commanding the armed vessel "Maria." 214

The report, dated off Point au Fer, 12th September, signed John Steel, and addressed to Captain Barnes, D.Q.M.G., gives the depth of water at various points on the lake; the number of vessels; the growth of wheat; iron manufactured at Otter Creek. Reports that 300 tons of potash will be manufactured this year. 215

The report is followed by a return of the boats, tonnage and men employed in the navigation of the lake. 217

October 24, Quebec. Dorchester to Grenville (No. 61). Petitions enclosed, with a schedule of the same. 218

1. Petition of the merchants of Montreal for the establishment of a separate Custom House, dated 14th October. Names given. 220

2. From the Judges of the Common Pleas of Quebec, for an allowance for travelling expenses. 224

3. From the merchants and citizens of Quebec and Montreal, on the subject of the proposed Act for the government of Canada. 226

Other petitions in French and English. 230-234-237

MINUTES OF COUNCIL, &c.—1790.

Q. 47-2.

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October 24, Quebec. Dorchester to Grenville (No. 62). Sends copies of minutes on State affairs and Crown lands from 26th August to 8th October. A report on the Prerogative Court shows that doubts have arisen whether it is conformable to the requirements of the law. Page 247

Minutes, 8th October. General Alured Clarke presents his commission (given in full); takes oaths and his seat. 248

Subjects referred to committees. 251

Petition (in French) of Louis Charles Fouché, advocate, to be protected against the injustice done to him in his practice by Judge Rouville. 252

Followed by affidavit. 256

Referred to the members from the district of Montreal to take evidence and report. 260

Report of special committee on bridge over the River du Loup, with proceedings and evidence. 260

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Report of the Committee of the Whole on the report of the above special committee, with list of rates for tolls. Page 267
Report respecting the jurisdiction of the Prerogative Court, with journal of proceedings. 270
List of records and extracts, made part of the journal. 330
Documents attached:—
1. Reference to the judges of the Prerogative Court. 332
2. Report of Mabane, Dunn and Panet. 334
3. Enclosure in report of the Quebec judges respecting the Prerogative Court. The sub-title is "Des Tutelles et Curatelles." 336
4. Reference to the Attorney and Solicitor General. 340
5. Letter from Judge Fraser. 342
6. Report of Messrs. Gray and Williams (the Attorney and Solicitor General). 344
Commissions to various legal funtionaries, marked 1*a*, 1*b*, 2, 3*a*, 3*b*, 4, 5. 350 to 361
6 (*bis*). Motion by Mabane to translate the heads of the Ordinance proposed by His Excellency relative to the business of the Prerogative Court into French. (The heads of the ordinance are given in full.) 362
7. Heads of an ordinance proposed by Allsopp on the 7th February, 1782, for settling intestate estates and declaring the age of majority. 372
8. Message of same date on the same subject by Haldimand, with proceedings of the Council thereupon. 374
9 to 14. Various laws under the French *regime* on the questions before the committee relating to Tutelles, Curatelles, &c. 381 to 428
Report respecting a list of parishes. The report shows it to be for the purpose of obtaining a census, as it states that the Committee of the Whole "concur with the special committee as to the measure recommended for obtaining the names of the inhabitants of the principal towns of Quebec, Three Rivers, Montreal and William Henry." The chairman of the special committee having stated that the Catholic Bishop had made a pastoral visitation since their report was made, the Committee of the Whole recommended that the report be recommitted to the Special Committee, "Conceiving that by them conferring with the Bishop they will be more able to concert with him on effectual measures to answer the end" proposed. 428
The report transmits the proceedingsof the special committee, with the following title: "Journal of the proceeding of the Committee of Council appointed by His Excellency Lord Dorchester the 22nd February, 1790, to report a list of parishes, and of all the seigneuries and grants they comprehend; with returns; and also with returns from every parish of the names of all males therein of sixteen years and upwards." Proceedings follow. 431 to 444
Copies of papers read in the order in which they are noted in the journal. (No. 4 is a list of the parishes with the names of the curés in parallel columns, 449 to 453.). Circulars, forms of returns and other documents. 445 to 475
Reports by the Land Committee on applications for lands.
On the application of Nicholas Austin and 254 heads of families, his associates. 476
Major Jessup, for land on account of his services. 480
George Allsopp, for a water lot in Quebec. 481
Antoine Foucher, for an island in Lake St. Francis. 482

October 24, Quebec. Dorchester to Grenville (No. 63). Sends naval officer's return of vessels inwards and outwards at Quebec. 484

MINUTES OF COUNCIL CHIEFLY CONCERNING THE INDIAN DEPARTMENT—1790.

Q. 48-1.—Q. 48-2.

1790. November 10, Quebec. Dorchester to Grenville (No. 64). Sends Minutes of Council on matters of State from 9th of October to 1st November. They contain the proceedings in the case of Dease and Ainse, of the Indian Department, and the result of the inquiry into the conversion of the present tenure into free and common soccage. Page 1

Minutes, 20th October. Report on the conversion of the tenures, with journal of proceedings, from 30th September. The minutes give the discussions, the reports of the Attorney and Solicitor General, list of French grants in Canada, with their contents in English acres, and list of grants in seigniory and *roture* by the French Crown (84 to 102). 2 to 102

List of emigrants arrived from Scotland by the "British Queen" from Arisaig. 103

Petition of Miles McDonell on behalf of the families arrived from the Highlands by the "British Queen." 104

Petition from the families arrived (20, amounting to 90 souls), that assistance may be given to them to accept the offer of P. L. Panet to settle on his lands. 105

Ordered that an inquiry be instituted into the character, &c., of the emigrants, and a report be made of the result. 106

Memorial of German Protestants for leave to assemble in the Court House for divine worship. 108

Petition (in French) of Mgr. Hubert, Bishop of Quebec, praying that whatever disposition may be made of the Jesuit Estates a certain portion shall be reserved for missions among the Indians. 109

Minutes, 1st November. Commission for the trial of piracies read and ordered to be recorded. 115

Report respecting the conduct of Dease and Ainse, of the Indian Department, with the evidence, correspondence, accounts and other documents relating to the investigation (117 to Q. 48-2, p. 605).

Documents communicated by His Excellency "relative to the promoting of the means of education, as well as to the reference for ascertaining the number of the parishes, &c. The following is a copy of the schedule of the papers:

1. Letter from Monsieur Plessis, secretary to the superintendent of the Romish Church.
2. List of the Romish clergy.
3. Report of the General Hospital of Quebec.
4. Report of the General Hospital, Montreal.
5. Report of the Hotel Dieu of Quebec.
6. Report of the Hotel Dieu, Montreal.
7. Report of the Ursuline Nuns of Quebec.
8. Report of the Ursuline Nuns, Three Rivers.
9. Report of the Sisters of the Congregation.
10. Report of the Seminary of Quebec.
11. Report of the Seminary of Montreal.
12. Report of the Protestant Schools in the City of Quebec, including:
    - Mr. Tanswell's list.
    - Mr. Keith's list.
    - Mr. Sergeant's list.
    - Mr. Jones' list.
    - Mr. Fraser's list.
    - Mr. Borrow's list.

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13. Report of the Protestant Schools in the City of Montreal, including:
    Mr. Nelson's list.
    Mr. Fisher's list.
    Mr. Owen's list.
    Mr. Gunn's list.
14. Report of the Protestant schools at Three Rivers.
15. Report of the Protestant schools at William Henry.
16. Report of the Protestant clergy in the Province of Quebec.
17. A list of the salaries of the several schools.

The lists of the Clergy, Communities &c., are minute, giving the names, ages, places of birth, &c., and in the case of the curés, the names of the parishes which they serve. The seminaries give the names and ages of the scholars, with the classes, and a sketch of the course of instruction followed in each. Only part of the Protestant teachers give the names and ages of the scholars, the others give the numbers only.

The reference and documents. Page 606 to 682

Report on the petition of the Seminary of St. Sulpice for a charter for the foundation of a college, with a plan of the building. The petition and other documents given in full. 683 to 704

Petition for a charter for a University, referred to Committee of the Whole. 705

Memorial of Kenelm Chandler that a patent should issue to Lord Amherst for the estates of the Jesuits, was read. 712

MISCELLANEOUS LETTERS AND PAPERS—1790.

Q. 49.

1790.
January 7, New York. John Foxcroft to Nepean. Has received dispatches by the "Dashwood" packet, which was unable to get into Halifax. Those for Lord Dorchester sent off by express; has drawn on Mr. Pollock for the amount. Page 192

January 27, London. Lymburner to Grenville. Sends papers which it would have been inconvenient to present yesterday. Will wait on him (Grenville) any day to give such further information as may be required. 182

Enclosed. List of new subjects, proprietors of fiefs and seigniories in the Province of Quebec. 183

List of the seigniories belonging to the seminaries and other public bodies or communities. 187

List of old subjects proprietors of fiefs and seigniories in the Province of Quebec. 189

February 1, Penryn. Gray, master of the "Dashwood," to Captain Roberts, Falmouth. Gives an account of his attempt to reach Halifax; the damage from heavy weather; his arrival at New York. 193

February 10, London. The merchants trading to Canada ask leave to wait on Grenville respecting the affairs of the Province. 195

February 20, Boston. Azariah Pritchard to Motz. Sends counterfeit Mediterranean pass; the business has been carried on for 18 months and extends as far as Virginia, to which place he goes to complete investigations. Will be able in his next to give full details, unless something unexpected should prevent this. Had he thought the expenses would have been so heavy here he would have remained in the Bay of Chaleurs all winter. No snow here. Prices of various articles. Disputes in the General Assembly of Massachusetts; the next is, whether the thirteen States are to defray the expenses of an entertainment given to Washington; a committee has reported that as Governor Bordwine invited him to dine, it ought not to

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be charged to the commonwealth of this State. Hears that Fitch is Collector at Fort St. John's; when he has completed his time, hopes that he (Pritchard) may not lose the berth. 74

(In Dorchester's letter, 10th November).

April 7, New York. Major Beckwith to ——. Dorchester's dispatches sent by the "Antelope" will explain the objects of his (Beckwith's) mission to New York. Sends report on such parts of the military system here as may affect the King's American dominions. The Creek Indians under McGillivray have attached the attention of the American Government; their numbers; the character of their leader irritated at the confiscations of their property; the extent of his designs. The Creeks too powerful for Georgia, who had to send for help to the general Government; unsuccessful negotiations; a military force to be sent against them. The military preparations are stated in detail. His opinion that these may be extended to three distinct objects: 1. An Indian war. 2. the strengthening the general Government of the Union by an increase in the military establishment. 3. The being in a condition to undertake offensive war. The latter is not in immediate contemplation, as he has grounds to believe there is a wish to cultivate a connection infinitely important to the genuine interest of the colony. He intends to return to Quebec in a few days. 283

April 10, Quebec. Account of contingent disbursements of sundry civil officers, &c., in the Province of Quebec, from the 10th October, 1789, to date. 338

April 12 & 17, Quebec. Ordinances. To prevent the exportation of biscuit, flour, &c. (English, 199; French, 208). 199 to 217

For the better preservation and distribution of the ancient French records. (English, 218; French, 221). 218 to 223

To form a new district between Quebec and Montreal, &c. (English, 224; French, 231). 224 to 237

To prevent the desertion of seamen from the merchant service. (English, 238; French, 240). 238 to 241

To amend the Act for preventing accidents by fire. (English, 242; French, 245). 242 to 247

Addition to the Act to regulate inland commerce. (English, 248; French, 250). 248 to 251

To secure the toll of the bridge over the River St. Charles. (English, 252; French, 256). 252 to 259

To prevent cattle going at large. (English, 260; French, 264). 260 to 267

To amend the ordinance regulating the pilotage in the River St. Lawrence, and for preventing abuses in the harbour of Quebec. (English, 268; French, 275). 268 to 282

April 18, London. Memorial of John Wright, late corporal 62nd Regiment, for passage to Quebec, to enable him to take up lands. 196

April 27. Grenville (?) to Simcoe. Has considered the papers from Allen respecting commercial intercourse between Canada and Vermont. The wish of this country to promote every degree of friendship and intercourse with Vermont. The papers shall be transmitted to Dorchester. If he should report no material objections, Government will readily concur in acceding to the wishes of Vermont. 198

May 18, Richmond. Pritchard to Motz. Has not seen Governor Cox since returning three days ago. Sends counterfeit registers and passes, made by John Norman, born in London, an engraver and printer. These frauds have been carried on for two years. Two hundred have been issued; how he will prove their efficiency to pass vessels. How he managed in Boston when he was suspected; a man named Meirs (Meyers) had done his best to blow on him; his character, &c. Enumerates the names of places at which passes have been issued and sends specimens. 76

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May 31, Mark Lane. John Inglis to Grenville (?). Sends information on the state of the Indian trade. The merchants have usually property in the Indian country equal to two years' returns besides fixed property at the posts of considerable value. He and Mr. Todd will give additional information when it is convenient for them to be received. Lieut. Col. de Peyster can give the best military information; he is reported to be a sensible and intelligent officer and has served with great reputation. Page 287

Statement of the produce in England of the furs and skins imported from the Province of Quebec, showing generally from what districts they are brought, and the effect the cession of the posts would have on this trade, &c. The statement is signed by Phyn Ellice and Inglis, and of the same date as the latter (31st May). Account of the posts, furnished by Captain Schank. The posts described are: 1. Oswegatchie; 2. Oswego; 3. Niagara; 4. Fort Slosser (Schlosser); 5. Fort Erie; 6. Presqu'Isle; 7. The Sandusky and Miami Rivers; 8. Detroit; 9. Michilimakinak and the Falls of St. Mary, Lake Superior. Part of these are on the Canadian and part on the United States side. 291

List of ships on the lakes. 295

Answers by Captain Schank and Mr. Inglis to memoranda of Grenville concerning the posts. 297, 299

Memorandum for Grenville. The ideas of Mathews about the importance of the posts and of the necessity of removing 3,000 Canadians into Upper Canada from Detroit. 300

May —. Return of companies of artillery under Lord Dorchester. 342

June 25, Mark Lane. John Inglis to Grenville (?). Had supposed that the legislation of the Legislatures of the States militating against the treaty, by withholding justice from British subjects, to which they were entitled under it, had been done away with by the influence of the new Federal Government. Sends a copy of the *Gazette* of Georgia, showing that the most obnoxious of these Acts is still in full force in that State. 302

Notice by the Auditor of the State of Georgia that all persons "indebted to merchants and subjects of the Crown of Great Britain prior to the 4th of May, 1782" are to "render a due account of the same to this office without delay, the same being sequestered and confiscated and appropriated to the use of this State." Those failing to comply with the notice are to be prosecuted in the manner pointed out by the Act of the 10th of February, 1787, the provisions of which are given in full. 303

April 20 to June 29. Depositions respecting the sale of counterfeit Mediterranean passes: John Meyers, 24th May; Moss & Cooke, Boston, 20th April; Samuel Moss, at Carlisle, 21st June; Warren Cooke, same place and date; Oliver O'Hara, at Paspebiac, 29th June; declaration of the same, same place and date. 61 to 69

Warrant to arrest Pritchard. 70

(In Dorchester's letter of 10th November.)

July 3, New Carlisle. Cox to Motz. Sends two false registers and a false fishing pass received from Pritchard on the 9th and 10th of June. Is sorry that Pritchard has been guilty of great weakness and folly, if not something worse. (The letter is dated 3rd June, but the correct date is that in the margin). 79

(In Dorchester's letter of 10th November.)

July 6, War Office. Colonel Alured Clarke to Nepean. Asks that Grenville write to Dorchester on the subject of Captain Cliffe coming to Canada, if the matter of Skene's Brigade majorship can be kept open for a day or two. 308

July 9, Plymouth Barracks. Mathews to Nepean. Sends, for Grenville's information, remarks on the upper country and posts in the Province of Quebec, as ascertained in 1787, when he was sent by Dorchester to make inquiry respecting places of embarkation and fit posts on Lakes Ontario and Erie as sub-

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stitutes for the present, in case they should be given up to the United States. The report gives a minute account of Niagara, Fort Schlosser, Fort Erie, Detroit and Michilimakinak, the nearest substitute for the latter being the Falls of St. Mary. Reports also on the post of Cataraqui (now Kingston). The effect on the fur trade of giving up the posts.
Page 309

Abstract of the peltries from the North-West and Michilimakinak for the year 1788. A note says: "The post of Nipigon not included, the produce of which sold in Canada for £4,000, Halifax currency". 317

July 22, Humberstone. Captain Skene to Grenville. Had arrived at Crookhaven and forwarded dispatches by the General Post Office, whose receipt he encloses, a severe hurt in his leg preventing him from travelling post to London. He had left Quebec on the 23rd of June. 318

Receipt. 319

July 24 and July 27, New Carlisle. Condemnation of the "Fox" on the information of O'Hara, Deputy Collector ofCustoms. Acquittal of Azariah Pritchard on the same, both before the Court of Common Pleas for the district of Gaspé. 56
(In Dorchester's letter of 10th November).

September 8, Fort Pitt. Message sent by Arthur St. Clair, Governor of United States territory West of the Ohio to the Senecas. That an expedition is to be sent against the Shawanese, but no harm is meant to them (the Senecas). 102
(In Lord Dorchester's letter of 10th November, No. 74).

September 10, New Carlisle. O'Hara, Deputy Collector, to Ainslie. Reports that the "Fox" and her cargo are condemned. The "Dove" is not yet condemned, for want of a quorum to form a court. Pritchard has been acquitted by the jury. The master of the "Dove" in his examination denied all he stated in his deposition; this probably led to the acquittal of Pritchard; still suspects he was guilty, for reasons given. Respecting the costs. Theft of a large net which had been on board the "Fox," and £14 in cash, part of what was paid at the sale of the vessel. 52

September 10, New Carlisle. Account of the sale of the schooner "Fox" and her cargo, seized by Oliver O'Hara, preventive officer. 58
(In Dorchester's letter of 10th November).

September 19, Marietta. St. Clair to Major Murray, or officer commanding at Detroit. To prevent uneasiness as to military preparations he has been desired by the President to give the fullest assurances of the peaceful disposition towards Great Britain, and that the expedition is not against his post, nor any other in possession of the British troops, the sole object being to chastise and humble some savage tribes, whose depredations have become intolerable, and whose cruelties are an outrage, not only on the people of America, but on humanity. Trusts, therefore, that these savages will meet neither with assistance nor encouragement, and that he will restrain the traders from inciting the Indians. Sends this by a private gentleman (Mr. Meigs). 105
(In Dorchester's letter of 10th November, No. 74).

September 19, Muskingum. Message to the Wyandots by St. Clair, similar in terms to that sent to the Senecas on the 8th September. 113
(In Dorchester's letter of 10th November, No. 74).

September 24, Witzenhausen. François Motz to Nepean (?) (in French). His desire to be of assistance in forwarding the proposal for the cultivation of flax in the Province of Quebec. The obstacles in the way of introducing a large number of families; it would be better to engage a few men to teach the process. One obstacle is, that at the first public notice of the attempt to engage families it would in Prussia involve perpetual imprisonment; in Russia, slavery in Siberia; the other is the repugnance of German families to the sea voyage. Is ready, however, to engage. In the interval of the labour of cultivation he would search for iron ore in summer, prepar-

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ing reports for Government in the winter. The steps he would take to secure people; can say nothing of the cost of transport, &c.; the best time for the people to sail. Page 320

September 25, New Carlisle. O'Hara to Ainslie. Sends returns from the 10th October, 1789, to the 6th April, 1790, and a copy of proceedings against Pritchard. The "Dove" not yet condemned, for want of a court to try the case. 60

(In Dorchester's letter of 10th November).

October 14, Detroit. Major Smith to St. Clair. The military preparations mentioned by him (St. Clair) had caused no uneasiness at this post, nor have the Indians received either encouragement or assistance in committing depredations. So far from the traders instigating the Indians to cruelties, they had saved the lives of Americans; their conduct towards certain Pennsylvanians, whom they released from the Saginaw Nation and sent safe home, being an instance of this. 107

October 16, Detroit. Commanding Officer to ———. The steps he had taken to warn the traders to secure their property in the Miamis quarter, as it had been hinted that the Americans would consider such merchandise a fair plunder, conceiving the proprietors had instigated the Indians; he confidently believes their conduct to have been the reverse of this. The traders run the risk of being plundered by the Indians also. 109

(In Dorchester's letter of the 10th November, No. 74).

October 17, Detroit. Extract of a private letter. The imprudence of settlers fixing themselves so far from protection as at the Miamis towns. The ruin to the trade of this post for the current year, whether the Indians make peace or not, as the hunting season will be passed either in war or negotiation. It is supposed the Indians can collect 3,000 or 4,000; the Wyandots and Delawares seem inclined to remain neutral. The Americans under the command of Colonel Harmar consist of about 3,000 men, nearly one-third Continentals, the remainder draughts from militia and volunteers from Kentucky, chiefly mounted. Muskingum "is composed of discontented Continental soldiers and officers, who were attached to the United States by no other tye but personal regard for the President, considering themselves as sacrificed by Congress and defrauded even in the sale of the lands they occupy. Their sentiment towards the Government of the old States is, I think, the cause of an extreme tenderness towards the British Government, which affects to attribute to the traders only that encouragement and supply of ammunition to the Indians which, I believe, they in reality attribute to authority." 116

(In Dorchester's letter of 10th November, No. 74).

October 18, Mouth of the Detroit River. McKee to Sir John Johnson. Report brought to the Miami Rapids that a powerful army was on the march towards the Miamis towns. The Indians of that neighbourhood are too few to make much opposition, but they are determined to attempt it, and have asked the assistance of other nations, who are too much dispersed to be able to collect in a short time. Elliott sent to watch their progress. The report of negotiations between the Indians and Spaniards in expectation of a war with Great Britain. The Spanish messages have been sent to all the tribes. Encloses speeches received by the Indians and forwarded to him. 111

(In Dorchester's letter of 10th November, No. 74).

October 27, Quebec. Motz to Pritchard. Lord Dorchester is satisfied with his zeal in discovering the fraudulent practice of issuing counterfeit certificates of British Plantation Registry and Mediterranean passes. The information it is desirable to obtain on the subject. The necessity for secrecy, so as to prevent those guilty from eluding punishment. 72

(In Dorchester's letter of 10th November).

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November 1, Quebec. Holland to Dorchester. Asks that steps may be taken to recover the plans left with Major Desbarres in 1776. Page 167

(In Dorchester's letter of 10th November, No. 76).

November 4, New York. Sir J. Temple to Grenville. Has done all in his power to assist Mr. Stokes in his views concerning the commerce and fisheries of this country. Sir William Hamilton's plan concerning Milford Haven appears to have a reasonable prospect of success. Has given Stokes a letter to Roach of Nantucket Island. 331

November 6, Quebec. Samuel Holland to Nepean. Thanks for kindness to his son. But for compensation for part of his losses he would have been much embarrassed, as he must recover by law among a lawless crew his property in New York, New Jersey and Vermont. Has recovered his health to a certain extent; his son at present engaged in astronomical observations. Had hoped that instructions would have been sent to restore him (Holland) his full salary, as Surveyor-General, and asks his (Nepean's) influence. 392

November 10, Quebec. Dorchester to Grenville (No. 65). Sends schedule to serve as an index to the proceedings of Council relative to the estates possessed by the late Order of Jesuits in Canada. The reports of the Attorney and Solicitor General of the 18th May and 20th August, give an analysis of the voluminous reports, &c., of the Commissioners; the representations received in August show the general sentiment to be that these estates should not be diverted from public uses; although there are different opinions as to how they should be appropriated, the general wish seems to be that they should be used to promote education; different views as to how this should be done. The buildings, gardens and grounds in different localities should be reserved by the Crown for public uses; their churches or chapels should be set apart for Protestant worship; the revenues should be applied to compensate the Crown for the maintenance of the surviving members during their lives and the maintenance of the necessary missionaries among the Indians. One part of the buildings at Quebec has been used for barracks, another for a court house, and as a place of worship for Protestants of the Church of Scotland. At Quebec the buildings have been used for various purposes; the residue of the buildings and the whole of the estates are in possession of the surviving members of the Order. The buildings at Montreal appear to be proper for the residence of the Governor General, the situation of that city pointing it out as the most eligible for the ordinary seat of the general Government. Some unsettled lands might be used to exchange for lands near Montreal for the use of the Governor General; the same should be done at Quebec. 1

Schedule of the proceedings and papers in the reference to Council of the question respecting the estates of the late Order of Jesuits in Canada. The schedule gives the heads of every step taken in the Council, of which the dates were: In 1787, 31st May, 20th June, 30th October, 1st November, 4th and 27th December. In 1788, 14th May, 30th June, 22nd July. In 1789, 12th March, when the Committee's report was presented. A list of documents follows, and a summary of the contents of the volumes containing the reports: 1790, 25th August, 20th October and 1st November. Schedule covers 15 pages. 6 to 20

November 10, Quebec. Dorchester to Grenville (No. 66). In December, 1789, he was waited on by M. Hubert and his coadjutor, M. Bailly, attended by some of the clergy, who stated that there was a design by the Canadians to petition that the Jesuit Estates should be appropriated to the use of the Province, agreeably to their original destination, and that the remaining Jesuits were willing to surrender them for that purpose. They (the bishop and clergy) had been solicited to join in the petition, but though

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impressed with the justice of the claim they decided to consult him (Dorchester) first. He (Dorchester) declined to express an opinion till he had the reports of the Attorney and Solicitor General, and next morning sent word to the bishop that he would communicate to these gentlemen what had passed. Report that the Jesuits have the design to dispose clandestinely of the estates; report confirmed by the Bishop; steps to prevent it. Differences of opinion on the subject of education between M. Hubert and his coadjutor, M. Bailly. There is a wide breach between them. He (Dorchester) has tried without effect to reconcile them. Page 21

November 10, Quebec. Dorchester to Grenville (No. 67). Sends schedule of proceedings of Council in relation to the state of the Church and schools, &c. Elementary acadamies should not be omitted, but the establishment of a University in Lower Canada appears to be most proper to give energy, &c., to the cultivation of the higher branches of science throughout the British dominions on this continent. Approves of the plan recommended by the committee. How the university should be organised and the method by which the inferior schools in Upper as well as in Lower Canada may be subordinate to Government. Necessity for a fund to defray the expenses of the whole establishment. Proposes parliamentary regulations for the management of the schools under the university. The benefit of Mr. Sanguinet's legacy, should it be declared valid by the court. Little or no advantage can be derived from the grant of 200 acres for the support of free schools in the new districts, until the population increases; temporary aid is therefore indispensable, and the introduction of masters from Britain for the free schools till the university and subordinate branches can supply them. The exclusion of theology from the university is judged to be necessary to give the greatest degree of advantage to all classes. The promise of a succession of respectable ministers of religion and provision to send some of the youth to English universities removes the chief objection to the restriction. Proposed arrangement for a Protestant ministry in Lower and Upper Canada; missionaries with no fixed cure would also be of use. Glebes of 400 acres in each township have been set apart for the support of a clergyman, but the same drawback attaches to them as to the 200 acres for schools. The Societies for the Propagation of the Gospel and of Christian Knowledge might turn the channel of benevolence, formerly directed to the severed Colonies, towards those parts of the Continent which remain part of His Majesty's dominions. 26

Schedule of the proceedings in Council relating to education. 31

The proposed establishment of a Protestant ministry in Lower and Upper Canada was: 35

Lower Canada.

Quebec, one rector and one assistant.
Montreal, one rector and one assistant.
Three Rivers, one rector.
William Henry, one rector.
St. John's, one rector.
Berthier, one rector.
District of Gaspé, one rector.

Upper Canada.

District of Luneburg, two rectors.
District of Mecklenburg, two rectors.
District of Nassau, one rector.
District of Hesse, one rector.

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November 10, Quebec. Dorchester to Grenville (No. 68). Sends copies of two papers which were in Nepean's letter of 20th August last. As no mention was made of them, he can only say he does not think them very candid. Page 36

The documents were: 1. An application by Lord Loraine to Pitt on behalf of George Davison. 37

2. Application by George Davison for the office of Receiver General. 40

November 10, Quebec. Dorchester to Grenville (No. 69). Has received letter from Nepean of the 20th August, with invoice and bill of lading of goods intended for the Indians in Canada. There is a mistake, as goods for this purpose for 1790 and 1791 were ordered on the 24th of October, 1789, and, with a few exceptions, arrived in September last. Had sent returns for Parliament of the total expense for the Indian Department, exclusive of provisions, &c., estimates of which were also sent. What makes the mistake worse is that the vessel with the goods was driven ashore on Crane Island; she was got off and is at Quebec, but he shall defer making any demand till he knows the result of the survey. 42

Enclosed. Requisition, dated 3rd October, for goods to complete the supplies of Indian presents for 1790 and 1791. 45

Estimate of the expense of the Indian Department for 1790. 46

November 10, Quebec. Dorchester to Grenville (No. 70). Sends representation of the naval officer of Quebec on the subject of a separate Custom house at Montreal. 47

Report, dated 2nd November, by Thomas Faunce, naval officer, opposing the petition for a separate Custom house at Montreal, for reasons given. 48

November 10, Quebec. Dorchester to Grenville (No. 71). Sends copies of proceedings in the Court of the District of Gaspé against the schooner "Fox" and Captain Azariah Pritchard, together with correspondence on the subject. 51

Enclosed. O'Hara to Ainslie, 10th September. Condemnation of the schooner "Fox," 24th, and acquittal of Pritchard, 27th July, before the Court of Common Pleas, Gaspé; account of the sale of the "Fox," 10th September; O'Hara to Ainslie, 25th September. Depositions regarding the sale of counterfeit registers by Pritchard, of various dates in April, May and June; Motz to Pritchard, 27th October, 1789; Pritchard to Motz, 20th February and 18th May, 1790; and Nicholas Cox to Motz, 3rd July, are calendared at their dates, except the depositions, which are calendared at June.

November 10, Quebec. Dorchester to Grenville (No. 72). Arrival of 96 emigrants from Arisaig and Egg; their application for provisions subsequently modified to that for boats to carry them to the district of Luneburg, to join their friends; boats granted. The captain of the ship reports that they left on account of the increase of rent, and that the "Ajax" was to embark 500 more from the islands of Skye and Lewis to North Carolina, but that it was supposed Government would take charge of them to settle them in the British Provinces. 80

November 10, Quebec. Same to the same (No. 73). Sends communications received on the 27th and 30th October. 82

Report respecting St. Clair's movements and the policy towards the Western territories, towards Spain, &c. Offer by a Dutch financier to open a loan for funding the public debt. Character of Walker, aide-de-camp to Washington during the war. 83

7. Character of 23; does not approve of part of his conduct. If whilst in London he has cultivated an intimacy with any other foreign power he has not been authorized to do so. From the friendship between him and de la Luzerne, whilst the latter was Minister in the United States, he may have visited him more than was prudent. He denies emphatically that there is any wish for a West Indian Island, but

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the navigation of the Mississippi must be thrown open and the possession of New Orleans is looked forward to. Questioned as to the popularity of 23 in London; he (7) believes the report to be correct as to that and to his intimacy with Fox and Luzerne; doubts his prudence. Further remarks on the same subject. Page 88

Continuation.—Remarks on Spanish affairs; the dissatisfaction of the sea-faring people of New England, &c., with the pacification, as their private privateering plans were thwarted; the agricultural interest was disappointed in the hope of high prices for grain. Other interests dissatisfied for reasons given. Spain, in event of a war, might have given the free navigation of the Mississippi; or New Orleans might have been seized; or the Spanish monarchy so crippled that the Spanish North American frontier might have been left in a state of imbecility. All these prospects vanished on the establishment of public tranquillity. 93

7. Advantage to the two countries from an approximation in commercial matters. The people of the United States will be great consumers; they have a preference for British manufactures, and are in the way of paying for them. From the interests (mentioned) does not see any solid grounds of national difference, and there is no desire to possess anything to the northward of the present boundary; but the navigation of the Mississippi they (the Americans) must have, and a post, either New Orleans or somewhere near it. There are two parties almost equally divided; one in favour of France, the other of Great Britain. The present state of affairs is favourable to the former, and they are zealeus to improve the situation. The Americans consider themselves at perfect liberty towards Spain in any way conducive to their interests, even to going to war with that power. In answer to Jay when at Madrid, the Count d'Aranda declared the limits of the Spanish territories in North America, took a pencil and ran a line from the head of the navigation of the river St. Mary to the mussel shoals on the Tennessee River, and following its course and that of the Ohio down to their junction in the Mississippi. Settlement between the States of Vermont and New York. 93

November 10, Quebec. Dorchester to Grenville (No. 74). Sends additional information from the upper posts, subsequent to that received from New York, of an intended expedition against the Western Indians. 99

Letters from St. Clair, 8th and 19th September; from the Commandant at Detroit, 14th and 16th October, from the Indian agent at Detroit, of the 18th October, and extract of a private letter from Detroit, dated the 17th October, are calendared at their respective dates.

November 10, Quebec. Dorchester to Grenville (No. 75). Sends return of the militia of Upper Canada. The return of the inhabitants of Lower Canada is not completed. 118

The return of the militia follows, page 122

November 10, Quebec. Dorchester to Grenville (No. 76). Sends map of the lower part of Canada, with list of the maps, plans, &c., in the Surveyor General's office. 119

List referred to. 120 to 166

November 10, Quebec. Motz to Scrope Bernard, M.P. That duplicates of the Council minutes have not been sent; but any clauses may be filled up by reference to Lord Hawkesbury. Copies of printed documents forwarded. 170

(The printed documents are not with the letter.)

November 10, Quebec. John Frederick Holland to Nepean. Is employed on astronomical observations; respecting instruments he requires. Reports of Mackenzie's explorations; the importance of these; the obstacles that would probably be thrown in his (Holland's) way by the North West company. The necessity of preserving the territories from foreign encroachments;

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he understands that Peter Pond is engaged in the United States to form a company to trade with the Indians in these parts. Page 395

November 11, Montreal. Dobie & Badgley to Brickwood, Pattle & Co. Send report of the movements of St. Clair, similar to those sent in Dorchester's letter of 10th November (No. 74). Conjectures as to the real meaning of the expedition. The cargo of the "Atlas," which ran ashore, is to be sold by public auction to establish a general average. 333

November 20, Quebec. Dorchester to Grenville (No. 77). Sends continuation of certain communications received on the 17th instant. 172

7. Traders purchasing plunder from the Indians. There is no foundation for the idea that the Indians have British support, but prudence in restraining the traders seems dictated at the present critical time. The action of the French National Assembly respecting the family compact. The friendship of the United States to Great Britain is not unimportant, and will become more so; thinks it would be an advantageous measure to open the West Indian trade. Owing to the rapid increase of Western settlements the outlet by New Orleans must be obtained. Remarks on the Indian policy. With regard to the expected Spanish war, he (7) does not think it incumbent on the United States to support France in a war in which she is only an auxiliary, and he believes they are perfectly free even if France should go to war as a principal. He believes that the judiciary will settle the laws between debtors and creditors on a just basis, so as to remedy the complaints of British traders. The growing strength of the United States Government; the next census he believes will show a population of three millions and a-half, so that it would be an act of wisdom in the Ministers of Great Britain to attach and connect the United States upon political as well as commercial considerations. The proposals intended to be made respecting the Eastern boundaries with the British Provinces had been put off, in the expectation of Lord Dorchester's visit. The report respecting the boundaries of Vermont, so far as related to Isle la Motte, is not accurate. Discontent in Georgia in consequence of the treaty with the Creek Indians. The proclamation of the Spanish Governor of East Florida respecting negroes shows an improving disposition towards the States of America. 173

November 27, London. Monk to Grenville. The state of his successor's health will prevent the possibility of his discharging the duties of the office to which he was appointed. His own long and faithful services; asks for restoration to an office it shall be his study to discharge to merit approbation. 328

December 24, London. Simcoe to Grenville. Asks for a canvas house to be used in the excursions, he must make in his new Government. (It was granted). 337

No date. Requisition for Indian goods for 1790. 341

State of religion in Canada. This report, with accompanying documents, was printed in full in report on Archives for 1889. 343 to 353

Various dates. Letters and papers relative to the plan of exploring the North-West coast of America from Quebec, &c. (The correspondence was printed in full in report on Archives for 1889. It extends from 14th July, 1789 to 25 July, 1790.) 353 to 391

Letters and Papers relating to the Indians,—1791.

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March 1, Quebec. LeMaistre to Lt.-Col. Gordon. That orders were given by Hope and confirmed by Dorchester, that no settlements were to be permitted within the King's posts. The person mentioned in General Christie's

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letter is to be ordered to desist from settling. Vigilant attention is to be paid to prevent anyone from begining a settlement. Page 110

(In Dorchester's letter 14th June, No. 84).

October 16, Glaize — Extract, (no name given). Report by Sharp to Leith, that his houses, corn, &c., were consumed in the general conflagration; the Indians burned their own houses as well as those of the traders. They are collecting from all quarters, but does not think they will be strong enough. They have compelled the traders to supply them with powder and ball and have killed their cattle. It is astonishing the alacrity with which they are assembling to assist their friends. 28

(In Dorchester's letter of 23rd January, No. 79).

October 17, Glaize. — George Sharp to McKee. The American army nine leagues from the Miamis on the night of the 14th. On the 15th, when he left, a considerable part of the property had been saved, but the village had been burned by the Indians lest it should afford shelter to the enemy. The Americans had left their cattle behind them; it is not certain they had any cannon, nor was their number known; it cannot be less than 2,000. Kenzie and Lacelle were to remain near for four days; they promised to send intelligence. Godfroy, going to Detroit, will give all information. 27

(In Dorchester's letter of 23rd January, No. 79).

October 19, Detroit. — Major Smith reports that Godfroy believes the Indians to be under 1,000; upwards of 1,000 bushels of corn were burned in the town; the Indians had allowed the traders to remove their goods and assisted them; the Gri Chief had particularly recommended this. One Indian watching the movements of the Americans had been killed. 28

(In Dorchester's letter of 23rd January, No. 79).

October 20, Detroit. — Major Smith to Le Maistre. Arrival of Godfroy; (reports his statements already given). McKee has arrived, bringing copies of the speeches delivered by Meigs at Sandusky. There is reason to believe the Spaniards have been tampering with the Indians on the Mississippi, and belts have been sent to all the Nations hereabouts declaring their intention to go to war with Great Britain. It is reported that the present intention of the Indians is to attack the American guard with their cattle in the night, so that by throwing them into confusion they may scatter and be easily killed. 30

A statement at the end of the letter, reports the attempt of a Pottawatomie to induce the Indians at the River Raisin to join the Spaniards, but that he was detected by a trader who knew the language. 32

(In Dorchester's letter of 23rd January, No. 79).

October 23, Glaize. — M. Elliott to McKee. Two Delawares report a skirmish between the Indians and Americans on the 20th. An attack by 1,000 light horsemen defeated, and 300 of them killed. A prisoner reports the American army to be 2,500 men, with cannon and ordnance stores, and that they meant to attack Detroit next Spring. The Indians are 1,000 strong. The Sacks and Foxes had forbidden them to attack the Americans till their arrival. The Indians in high spirits and confident of success. He proceeds up the river to hasten the traders to secure their property and to get further intelligence. It is reported that one Indian killed 30 Americans in the action of the 20th. 33

(In Dorchester's letter, of 23rd January, No. 79.)

October 26, Detroit. — Details of the fighting at the Miamis Town on the 20th and 22nd brought by Godefroy. The Indians complain of want of ammunition. The Indian messenger could not tell if the Americans had cannon. He saw none. 35

(In Dorchester's letter of 23rd January, No. 79.)

October 28, Detroit. — Information of Elliott. His journey to watch the movements of the American army to Miamis Town. Arrival of an Indian messenger for

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assistance, reporting the action of the 20th. Left the Glaize on the 23rd and on the same night arrived within 40 miles of the Miamis Towns, where he met different chiefs who had come for provisions and reported having driven the Americans into a swamp. The same night runners arrived with news of a second action ; 500 infantry having advanced from the swamp, it is supposed to bury the dead. That the Americans were again defeated with the loss of 200, making a total loss of 500; does not believe the number given of killed to be exaggerated. American prisoners report that their army consisted of no more than 1,500 men, 400 pioneers, pack horsemen and bullock drivers. They had only seven days' provisions and the flower of the army slain. They intend to retreat down the Wabash to join St. Clair. Believes now that the Indians did not exceed 600 and that in both actions not more than 200 were engaged ; the number of Indians killed does not exceed 10, and 15 wounded, most of them slightly; few of the Americans escaped wounded, the tomahawk and spear being the weapons used. Many Nations are surrounding the Americans, waiting an opportunity to attack them. The prisoners said that Detroit was the intended object in Spring. Page 37

(In Dorchester's letter of 23rd January, No. 79).

November 5, Detroit. Major Smith to Le Maistre. Sends information of Blue Jacket, a principal warrior of the Shawaneses, giving an account of the retreat of the American army. Sends substance of his talk, respecting which he asks orders. Is fearful the Indians will be very pressing for provisions this winter; asks for instructions. Page 41

The information of Blue Jacket that after it had been determined to make an attack on the Americans to prevent their retreat, the Ottawas, owing to the superstition of their conjurors, withdrew, their example being followed by others, so that the few Shawanese and Miamis left were unable to carry out the plan and the Americans were allowed to retreat; that they were retreating in great confusion, having left many wounded and horses behind, and believes they will be obliged to leave their cannon. 43

Blue Jacket, after recalling the services of the Indians, asks for assistance in men and to send traders. Asks also that the families be clothed and fed, as they had burned their houses to retard the approach of the enemy, who make sport of their (the Indian) titles of possession ; cavil with a Nation for the actions of unauthorised individuals and secretly aim at destroying the trading post. His Nation has not ceded the country; some of the naughty young men have made war on the frontiers of America, because of encroachments beyond the Ohio, but they did so without the Nation's sanction. "We as a people have made no war, but as a people we are determined to meet the approaches of an enemy, who came not to check the insolence of individuals, but with a premeditated design to root us out of our land, which we and our forefathers and our children were and are bound as men and Indians to defend, and which we are determined to do, satisfied we are acting in the cause of justice and that the lands we hunt on and inhabit are ours, not only by right but by former treaties, wherein the Ohio was always considered as the boundary line and to which we have rigidly adhered." The Chiefs ask for a steady answer, as they wish to know what to expect. 45

Answer by Major Smith, at some length, the material part being that he must wait for instructions from Quebec. 48

(Smith's letters and enclosures in Dorchester's letter of 23rd January, No. 79).

November 6, Detroit. Major Smith to LeMaistre. Sends report of Simon Girty, which confirms the previous reports of preparations by the Americans; and that

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the Corn Planter and many of the Five Nations will not be the warmest allies to Great Britain. Page 52

Report by Simon Girty of the advance of an army from the United States to establish forts this fall at the Miamis, Lower Sandusky and Guyahaga, and next Spring to send troops to take possession of Detroit, and if they failed they were to raise another army to take it. Officers have been sent to ascertain how far craft could go up Beaver Creek. Corn Planter had gone to Philadelphia to consult with Congress about keeping the Five Nations quiet. 53

(The letter from Smith and enclosure in Dorchester's letter of 23rd January, No. 79).

November 7, Detroit. McKee to Sir John Johnson. The critical state of the Indians; though they have repulsed the Americans they do not think they are adequate to carry on war without support. If found fault with, they must disperse. They are inclined to retire beyond the Mississippi. Has recommended them to remain on their own ground till instructions are received from the Commander-in-Chief and him (Sir John). The Indians from this neighbourhood have sent their chiefs towards the Miamis to support them in this measure. 55

(In Dorchester's letter of 23rd January, No. 79).

November 8, Nassau. Joseph Brant to Sir John Johnson. Death of David; assistance asked for his widow and family. Report, substantially as in other letters, of the attack by and defeat of the Americans near the Miamis Villages. Urges the soundness of the policy of settling the Six Nations on Canadian territory. Asks for advice as to his course, now that the enemy is in the country of his allies. 57

(In Dorchester's letter of 23rd January, No. 79).

November 23, Quebec. Dorchester to Grenville (No. 78). Sends sketch communicated by Pond of the North Western parts of the continent. It is reported he has left to seek employment in the United States, of which he is a native, Mr. Mactavish, who has lately sailed for London, will be able to give information about Pond's map. 1

November 24, Quebec. Motz to Scrope Bernard. Respecting three applications for the exclusive right of manufacturing pot and pearl ashes by a new process. Doubts as to its efficiency. Encloses letter from Mr. McDonnel, who is an active young man and may deserve encouragement should the project be found of public utility. 3

Letter of application of same date from A. Macdonnel for patent in England for the new method of manufacturing pot and pearl ashes. 5

December 28, Montreal. Memorial of the merchants of Montreal, trading to the Indian country, praying that in event of the posts being given up the Indian trade may be left free and the Indian country treated as neutral ground, for five years, to enable them to collect and withdraw their property. 61

(In Dorchester's letter of 23rd January, No. 79).

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January 17, Quebec. Le Maistre to Lt. Col. Buckeridge. Further respecting the removal of unauthorised settlers on either side of the River Chazy. The orders to prevent such settlements are to be repeated frequently. 112

(In Dorchester's letter of 14th June, No. 84).

January 17, Quebec. Dorchester to the same. Report by Patrick Conroy, J.P., that Vermont means to exercise acts of sovereignty over the King's subjects under the protection of the posts on Lake Champlain. Doubts the truth of the reports, as Vermont and the United States have too much good sense to begin hostilities which must be met. As there is peace and a wish to continue it, great prudence and moderation must be observed. Should the protection of the King's subjects require active interference it must be conducted with as much mildness as the case may admit of. These sentiments have repeatedly been inculcated. Should acts of hostilities

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take place, Mr. Conroy as a magistrate and officer of militia must resist them, and if unequal to defence must give immediate notice to the superior officers of militia of his own and of the neighbouring district of Chambly, as well as to the commanding officer of the King's posts. It is desirable in such cases that the militia of the country should first stand forward in their own defence, the regular troops being only called on when the people chiefly interested are inadequate to their own protection. The importance of relying on themselves, as the King's troops might be removed for general defence. Constant vigilance and prudence required, however improbable be the prospect of a beginning of hostilities. Page 113

(In Dorchester's letter of 14th June, No. 84).

January 20, Quebec. Dorchester to Lieut. Col. Gordon and Major Smith. Laments the hostilities between the United States and the Western Indians; it would give him satisfaction to put an end to these calamities. Great Britain is at peace with the United States, and there is no power here to make war, but should Detroit be attacked, such a step would be a beginning of hostilities and war must be repelled by war. All the principles have been fully made known to the commanders of the upper posts. Should any change in the policy of Government take place it shall be communicated. Gives credit to the United States for too much good sense to begin a war with Great Britain, but prudence requires preparation for any event, however improbable. 66

(In Dorchester's letter of 23rd January, No. 79).

January 20, Quebec. Le Maistre to Lieut. Col. Gordon and Major Smith. Copy of letter by Dorchester to Buckeridge of 17th January (p. 113) sent for their guidance. 117

(In Dorchester's letter of 14th June, No. 84).

January 23, Quebec. Dorchester to Grenville (No. 79). The enclosures give an account of two actions near the Miamis Towns, between some Western Indians and a force under Harmar. Sends application from the commanding officer and Indian Agent at Detroit for assistance to the Indians, and answer. Sends also memorial from the merchants of Montreal, interested in the Indian trade; their apprehensions are confirmed by the official report of Harmar, from which it appears that the British traders were a principal object of the expedition; had they fallen into his hands they would probably have been severely dealt with; the embarrassment their complaints would cause, which must come sooner or later unless prevented by a frontier treaty. The tone of the Act of Congress on the Indian trade. Even if Detroit be not attacked, its importance will be diminished, if establishments are formed at the mouth of the Miamis on Lake Erie, through which the trade passes. Orders to the Commandant at Detroit respecting the upper posts repeated to him. Information respecting the hostile designs of Spanish emissaries among the Indians enclosed. 21

Enclosed. Correspondence and other documents in October, November and December, 1790, and January, 1791, calendared at their respective dates. A schedule of the documents is at pages 24, 25, 26.

January 23, Quebec. Dorchester to Grenville (No. 80). Sends copy of orders to Brigadier General Ogilvie for troops to be moved into New Brunswick and part of those at Cape Breton and St. John's (P. E. I.) into Nova Scotia. Two companies left at the former and one at the latter island, so as not to make too sudden a change, but to accustom the people by degrees to take some care of themselves. 68

Orders of 3rd January to Ogilvie. 69

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January 31, Philadelphia. Conversation: Mr. Hamilton, William Macomb and Lieut. Colonel Beckwith, respecting Indian Affairs and the dealings of the traders with the Western Indians, &c. Page 97

(In Dorchester's letter of 14th June, No. 84).

February 1, Champlain Town, River Chazy. Pliny Moor and William Beaumont. That they had been settled on the River Chazy between one and two miles South of the boundary between New York and the Province of Quebec, and about eight miles from the garrison of Pointe à Fer; they had been warned by the commanding officer at Pointe à Fer to remove, but had been advised by the Governor of New York to remain. They are in the commission of the Peace for the County and can take no orders from the King's officers. Sends affidavits of notices being served. 130

Depositions by Elnathan Rogers (133); William Beaumont (135); Letter from Pliny Moore, with further depositions (137); his own deposition being the first (139); those of Caleb Thomas (142), and Samuel Ashman (144). 133 to 145

(Letter and depositions in Dorchester's letter 14th June, No. 84).

February 10, Quebec. Motz to Beckwith. Dorchester has received the intimation that the exertion of his influence with Western Indians to bring about a peace would be considered in the United States as a friendly act. He laments the hostilities and it would give him great satisfaction to be instrumental in putting an end to them, but he can take no steps without being authorised by one or other of the contending parties, nor without being specially informed of their designs, claims and pretensions. 72

(In Dorchester's letter of 19th February, No. 82).

February 10, Quebec. Same to the same. His letters of January received. Dorchester having no convenient opportunity at this moment of writing to England, leaves it to him to send direct anything of interest, particularly if the application for interference with the Indians should lead to anything further. The complaint of reserve towards Mr. M—may be explained by the discussions with Spain. Another cause has operated since the peace. Many gentlemen see through the clouds raised with so much industry to mislead the people, but the general spirit has not been conciliatory. This disposition is abating on the Atlantic coast, but in the Western Territory great pains appear to have been taken to keep it up at its original height. The wisest policy is to leave the States time to reflect and by their own good sense to find out their true interest. It is not known here if presents were issued to the Indians at the time of Harmar's expedition; but if it was the case, no presents were given with a hostile intent; no officer of the Indian Department would presume to act so opposite to his instructions. Course regarding Mr. Elliott. 73

(In Dorchester's letter of 19th February, No. 82).

February 10, Quebec. Dorchester to Sir John Johnson. His anxiety to secure a cessation of hostilities between the Western Indians and the United States. In event of an opportunity offering he is anxious to obtain information as to the nature and extent of the terms on which the Confederated Nations may be disposed to establish a general tranquillity. 76

(In Dorchester's letter of 19th February, No. 82).

February 14, Quebec. Same to Buckeridge. No Canadian line; that was destroyed in the years '75 and '76; there is no frontier. When a frontier treaty shall be formed, all foreign improvements on the Canadian side will be lost. Those who complied with the warning will be satisfied; those who stealthily made a pitch, as they call it, will probably be punished more than could be wished by the loss of their time, labour and expense. This is to be

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repeated to them from time to time with civility and good humour; the matter does not require formality or written orders. Page 118

(In Dorchester's letter of 14th June, No. 84).

February 14, Quebec. Le Maistre to Buckeridge. Report that a man was beaten by the corporal of a party in the vicinity of the King's posts on Lake Champlain, and a house broken open in search of deserters. Care to be taken that there be no foundation for such reports, and that the people shall always be treated by the troops in a gentle, friendly manner. Copy of Dorchester's letter of this date, (p. 118) to be given to the officers as a rule for their conduct. 119

(In Dorchester's letter of 14th June, No. 84).

February 19, Quebec. Dorchester to Grenville (No. 81). Sends naval officer's returns of vessels entered and cleared at Quebec. 70

February 19, Quebec. Same to the same (No. 82). Beckwith has been desired to communicate direct, to prevent delay. Sends copies of answer to his last dispatch, and of orders to the Superintendent General of Indian Affairs. Dispatches received by way of Halifax. 71

March 4 Grand River. Extract of a letter from Captain Brant to Sir John Johnson: "I am informed that Captain Powel has been tampering with a set of Senecas, in order to bring some of the Americans on the opposite side of the River from his house to build Mills on Skeendicghquade's Creek, which will not be effected without opposition, as I think half pay officers as well as those in the service ought rather to prevent than introduce the Yankees under the nose of a British settlement." 128

(In Dorchester's letter of 14th June, No. 84).

March 4, Grand River. Samuel Street to Sir John Johnson (Extract). Explains his connection with the purchase of the Indian lands in the Genesee country; the names of his partners; his desire to sell off as speediiy as possible and the difficulties in the way. 128

(In Dorchester's letter of 14th June, No. 84).

March 7, Whitehall. Grenville to Dorchester (No. 35). In consequence of inquiries in Russia and neighbouring countries for persons skilled in the cultivation of hemp, a person has offered himself, and his offer has been accepted on the terms contained in the paper following. He will probably arrive in Canada in a few months. Recommends him to be favourably received. 7

Conditions made with Mr. Reichel, who is to take charge of the culture of hemp. 9

March 7, Whitehall. Grenville to Dorchester (No. 36). Dispatches received to be afterwards particularly noticed. The application of the merchants and flour manufacturers is under consideration. 11

March 7, Whitehall. Same to the same (No. 37). Sends His Majesty's Message to Parliament on the subject of the proposed division and new constitution of the Province of Canada, on which a Bill was introduced by Pitt. As soon as the Bill has passed other important subjects shall be taken up, among others, those relative to the Estates of the Jesuits, the establishment of a University and a Protestant Ministry in Canada, and the provision for the judges. Hopes for His Lordship's presence in London to assist in adjusting various points. The best encouragement for emigrants to settle in Canada is the favourable account they may receive from persons of their own country already settled there. 13

March 7, Whitehall Same to the same (No. 38). Dispatches upon Indian affairs received, and those containing communications relative to the United States. The alarming reports of Indian hostilities cause anxiety for further dispatches. His Majesty's wish for the conciliation of differences and the establishment of tranquillity in that country; trusts that every measure may be taken towards such a desirable end, as the adjustment of the points in dis-

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pute between the United States and the Indians; it would probably afford an opening for settling the difficulties which have prevented the cession of the forts. Arrival of the Creek and Cherokee Indians; their memorial presented; their requests relating to hostility against the United States have met with no encouragement, but they will be gratified in their wish for intercourse with the British Dominions by an admission to the free ports of the West Indian Islands, supposing that they should find themselves in a situation to avail themselves of this indulgence. Page 16

March 19, Quebec. Dorchester to Grenville (No. 83). Desires to have the question settled whether, in the absence of the Commander-in-Chief, the officer commanding in the Province is authorized to take the command of the Superintendent General of Indian Affairs. 81

March 10, Huron River. Zeisberger to McKee. That Capt. Pipe had given notice that his people (the peacable sect of the Moravian Indians) could not remain in safety but must remove to a safer place. Had asked the chiefs to consult as to the place of abode. Nothing being heard from the Ottawa chief as to land, he applies to McKee for leave to sit down in a place of safety, and for a vessel to transport the people and their property from the South shore of Lake Erie. 246

Second letter, dated Huron River, 26th March, from Zeisberger to McKee on the same subject. Times had become more dangerous, and three Indians, who had narrowly escaped, reported that other three had been killed by the militia at Beaver Creek, and that four or five more were missing. It is also reported, but not confirmed, that five Tuscarora families were killed in their hunting cabins. The militia go out in parties, so that it is not safe. They can move to Sandusky, where a ship could be sent to take them. 249

(In Dorchester's letter of 14th June, No. 84).

March 24, Grand River. Brant to Sir John Johnson (?). Sends extract of letter from Rev. Mr. Kirtland, who has been at Philadelphia, asking for his ideas as to a speedy accommodation being reached. Has had a letter from Ebenezer Allen from Genesee, who has also been at Philadelphia, written in the same style as that of Kirtland. Congress would seem to wish for friendship with the Indians, and he was told would employ him at high wages. He will go to Buffalo Creek to sound the Five Nations, so as to know how to act should he go to the Southward. The application for six miles of land up the river from its mouth; seems hard to the Indians to have to give it back; they will, however, give five miles and a-half, as the six miles would take in a Seneca Settlement. Hopes that the deed to be given for the lands to the Indians on the Grand River will be nearly the same as that given by Haldimand. 153

(In Dorchester's letter of the 14th June, No. 84).

April 1, Detroit. McKee to Sir John Johnson (Extract). Had received instructions and would proceed to the rapids at the foot of the Miamis, where the general meetings of Indians are held. The partial treaties are the source of the present calamities. Has written to Joseph Brant on the subject; hopes to bring about a general understanding. The necessity of giving a liberal supply of provisions, owing to the distressed state of the Indians. If the report of another army preparing to visit the Indians be true, it will retard the business and widen the breach. 150

(In Dorchester's letter of 14th June, No. 84).

April 6, Quebec. LeMaistre to Major Duff. To send a warning to people settling on Pike River, within the Canadian boundary, that they are to remove, as no lands are to be granted there at present, and besides when leave is granted applications already made must first be considered. As they are

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reported to be loyalists they are to be desired to apply for lands to any of the land boards. Page 109

(In Dorchester's letter of 14th June, No. 84).

April 8, Quebec. Le Maistre to Lieut. Col. Gordon. Further respecting the removal of settlers; the officer at Pointe à Fer was perfectly right not to make use of violence. They are to be told civilly to remove and warned of the loss they will sustain if they refuse to obey the warning. 111

(In Dorchester's letter of 14th June, No. 84).

April 14, Quebec. Same to the same. Copy of letter from Warren, sent on the 28th February, respecting a projected settlement by the States near Fort Erie, has been laid before Lord Dorchester. Such settlements must be discouraged and prevented, but with civility and good humour. Copy of letter to the commanding officer at St. John's (14th February, p. 118) is sent for his guidance. The steps he has taken are approved of. Even if the Indians are inclined to grant the land in question, it cannot be suffered to take effect. 120

(In Dorchester's letter of 14th June, No. 84).

April 14, Quebec. Same to the same. Whatever influence may have been used with the Tuscaroras to dispose of their lands and to remove to Grand River was without the knowledge or approbation of Government. Suspicions excited as to the motives of those who are treating the Indians unfairly. Nothing can be done in the matter till instructions are received from His Majesty's Ministers. His (Gordon's) reply approved of; it is his (Dorchester's) wish that the Indians should be treated with every mark of friendship and benevolent attention. 121

(In Dorchester's letter of 14th June, No. 84).

April 14, Quebec. Dorchester to the same. In spite of pacific appearances, armed parties may appear in the Indian country, perhaps near the posts; preparations should be made to meet every event; not only should the posts be in a state of defence, but a force should be ready to move out. How this force should be composed. To send information of the force that could be marched from Niagara and Detroit respectively, and what may still be wanting. The gunboats and King's vessels should also be in readiness. 158

A copy sent to Sir John Johnson on the same day. 160

(In Dorchester's letter of 14th June, No. 84).

April 24, Niagara. Butler to Sir John Johnson (Extract). Had received news that a party of Chippewas had killed 10 Americans at Cassawago on the Venango, and had sent threatening messages to the Six Nations. Had received an invitation to attend a Council at Buffalo Creek; went with Brant, but was detained a long time to no purpose. Brant has gone to Detroit. Sends copy of the American speeches. A son of O'Bale reported that it was not with one State the Council was to be held, but that Americans were coming at least one or two from each State to get the Six Nations to accompany them to the Western Indians in order to effect a peace. 164

Report of the Council referred to in preceding letter. 167

Speeches from Timothy Pickering to the Six Nations. 172–178

Act to regulate intercourse with the Indian Tribes (No. 33 of 1790). 181

Explanation of the preceding Act. 187

These were included in report of Pickering's speech.

Continuation of Pickering's speech. 193–198

April 29, Miami Rapids McKee to Sir John Johnson. Has been here for some time to bring the Indians to a decision on the means to facilitate a favourable termination to the troubles; but the preparations and actual hostilities on both sides seem to widen the breach. Sends speeches received from Muskingum by the Hurons; these would have served a good purpose had they not

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been accompanied by reports of the detention of several Indians, who had gone there to trade; some of these made their escape and are present, and added to this is the report, confirmed, of the march of troops to the Indian country, corroborated by an intercepted letter; the information that R. Butler is to command is evidence that the force raised is for service in the Indian country, as he knows it from trading there. The Indians have taken on the Ohio boats with valuable plunder. Page 230

Speeches referred to in McKee's preceding letter:

1. Speech from St. Clair to the Wyandots (undated). 232

2. Speech from the same to the Ottawas, dated at Fort Washington, 7th October, 1790. 235

3. Another speech by St. Clair to the Ottawas (not dated). 239

Intercepted letter from B. Shamburgh to Capt. Kingsbury, Fort Washington, 9th April, 1791. Promotions and appointments in United States army. Gen. R. Butler appointed to command 2,000 levies. Quarrel between Mitchell and Freeman, the latter of whom was shot at by Mitchell but not killed; Mitchell dismissed the service and will probably be hanged. Other promotions, &c. 244

(McKee's letter and enclosed documents in Dorchester's letter of 14th June, No. 84).

April 30, Whitehall. Grenville to Dorchester (No. 39). Explains the reasons for sending an additional supply of Indian goods commented on by him (Dorchester) in letter 69 (see Q. 49, p. 42). The goods were sent in the prospect of hostilities with Spain. The accident to them on the passage up the St. Lawrence is to be regretted, but the accommodation with Spain renders it less material. The papers respecting Davison (see letter 68, Q. 49, p. 36) he had never seen till they were received from His Lordship. 19

Extracts of a letter from Major Smith. Two Americans, named Choate, brought in prisoners by the Indians, have asked leave to go to Massachusetts by Montreal. Has given them a pass to Niagara, to wait orders there. The Moravians have fled from their settlement and set themselves down on the Western side of the mouth of the Detroit. It is reported that 1,000 Americans have come up the Muskingum, and that there was a skirmish between the Indians and 100 Continentals on the Ohio, in which the latter were defeated, and the boats they were guarding were plundered. The deputy agent is at the foot of the Miami Rapids with the usual supplies and to inquire into the state of the present disturbances in the Indian country. 251

(In Dorchester's letter of 14th June, No. 84).

May 5, Whitehall. Grenville to Dorchester (No. 40). Sends note from the Marquis de la Luzerne respecting inventories of the effects of Andrew Granet St. Sauveur and his deceased wife. 78

Enclosed. Note from de la Luzerne (79), and copy of letter from M. de Montmorin on the subject (80). 79, 80

May 5, Detroit. Journal (in French) from 9th March to 5th May, entitled: "Journal de cequi s'est passé au mis (Miamis) et à la Glaisse au Ouias et Piconus." 221

(In Dorchester's letter of 14th June, No. 84).

May 6, Quebec. Motz to Beckwith. The tone of ———'s communications is easily accounted for from his personal views; his private pursuits in France naturally tinge them. There is no change in the disposition of the British Government to establish an amicable connection between the two countries. How and for what reason jealousies may be aroused and spread by a few interested individuals. All hasty resolutions are injudicious and favour the ends of those who are stirring a well-meaning people. It is time that all differences relative to the late treaty should

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be settled. The whimsical and preposterous representation of Great Britain in commericial matters. Comparison of her policy with that of France. The constant recommendations to the Indians to live at peace with the United States. Page 106

(In Dorchester's letter of 14th June, No. 84).

May 7, Quebec. Report by Capt. Gother Mann R. E., concerning the situation of the post of St. John's on the River Chambly, the present state of the works of defence already executed there and the new system now proposed. 271

Estimates, giving details. 284, 291

(In Dorchester's letter of 14th June, No. 85).

May 8, St. John's. Buckeridge to Le Maistre (?) Sends letter from Mr. Keyes, living at Burlington Bay, to which he has deferred giving an answer until he is directed by Lord Dorchester. The place called "Port of Alburgh" is on Caldwell's Manor and within the post at Dutchman's Point. Letter enclosed from Keyes, that he had received a commission from the President of the United States as officer of Customs with directions to establish the office at the Port of Alburgh, which is within the British garrison. Desires to know whether the establishment of the office corresponds with his orders. 146

May 9, Quebec. Motz to Sir John Johnson. Haldimand's promise of lands to the Indians shall be carried out without diminution. A continuation of settlements along the borders of Lake Erie may be of general convenience, but no part of the land promised must on that account be taken from the Indians. It must be explained to them that such a proposal did not come from Government; they are to get all the lands promised; should they afterwards give up any, they must have full compensation. The deed should be drawn up according to their wishes. 156

(In Dorchester's letter of 14th June, No. 84).

May 9, Quebec. Same to the same. That additional supplies will be necessary to enable the Indians to collect in a sufficient number and to remain in Council. Brant thinks that they (Congress) are acting deceitfully and wish to make a tool of him. It is reported that there is an intention to attack the posts as they did Ticonderaga in '76. Preparations to be made for defence. Information to be collected so as to determine if forces should leave Niagara and Detroit and where they should be stationed. The Indians should communicate fully their opinion on these points. Oswego is differently situated, but the means of its safety should be fully considered. 161

(In Dorchester's letter of 14th June, No. 84).

May 9, Quebec. Dorchester to Gordon. The expected approach of an army to the Indian country and rumours of an intention to surprise the posts, as was done with Ticonderoga in '76, call for preparation; should it be necessary to arm the gun boats and King's vessels, he may do so without waiting for orders. 164

(In Dorchester's letter of 14th June, No. 84).

May 12, Quebec. Report by Captain Gother Mann, R. E., concerning the defence of Isle aux Noix and of the system of works adopted and partly executed there; the present state of these works and the new designs, with estimates proposed. 256

Estimates giving details of the expenditure. 265, 267

(In Dorchester's letter of 14th June, No. 85).

May 15, Communication to Beckwith from No. 7, respecting the proposal that Lord Dorchester should intervene to effect peace between the United States and the Indians. 94

(In Dorchester's letter of 14th June, No. 84).

May 16, Quebec. Dorchester to Buckeridge. Approves of his course in taking no notice of the letter from Keyes; had he showed his original commission and

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instructions and left certified copies the steps to be taken might have been considered, but the truth of his statements cannot be admitted, as it is not to be supposed, without the most positive proof, that the United States have such hostile intentions. Should the execution of such a step be attempted his orders are sufficiently full and clear to meet it. Page 148

May 20, Niagara. Colonel Gordon to LeMaistre. Council of the Six Nations held at Buffalo Creek; a Colonel Proctor and three other people, one a Frenchman, have been present from the United States. They produced voluminous papers from Congress, of which copies are sent, as well as copy of R. Butler's speech; also copies of letters from Proctor. The Indians much divided. 202

Letter from R. Butler, sending copy of his speech. Believes Proctor will, in any event, proceed to the Miami River, &c. 204

Report of the Council, with speech of the Farmer's Brother. 205

Letter from Proctor to Gordon, 5th May, 1791. That he is entrusted with a mission to the Indians now at war with the United States, with whom the President is anxious to make peace. Chiefs of the Six Nations when at Philadelphia had promised that headmen would be selected to accompany such persons as should be sent into the country of those unfortunate people. The message to the Six Nations, with other documents, will be handed to him by the Farmer's Brother, who is to wait on him (Gordon) to receive counsel. Hopes that the motive leading to the overtures will invite him (Gordon) to assist in so laudable an undertaking. Asks to be allowed to charter a frigate or one of the vessels to carry such a number of Indians as may accompany him to Sandusky. 208

A second letter, dated 17th May, gives a summary of the one immediately preceding, which he believed had miscarried. 211

Gordon to Proctor, dated 18th May. Had delayed answering, waiting for the public papers promised. As these had not come, can only treat Proctor as a private agent. Would give the Indians the advice best suited to the present situation of affairs. Is not authorised to freight any of the vessels on the Lake as requested by him (Proctor). 213

(Gordon's letter of 20th May, and accompanying documents to page 213 in Dorchester's letter of 14 June, No. 84).

May 20, Niagara. Butler to Sir John Johnson. Had been at the Council at Buffalo Creek. About three weeks ago a Colonel Proctor arrived with a Frenchman named Houdin, O'Bale and some Senecas. They have brought letters and other papers from the President and Knox, Secretary at War. Proctor's instructions are to get the Six Nations to accompany him to the Westward, so as to take all these Nations to Fort Washington, on the Ohio, to meet in Council there, but the speeches are so haughty and inflammatory that they cannot be delivered to these Indians, already so much enraged, without great risk to himself and failure of his object. That object is not yet concluded with the Six Nations; Cow Killer and some Senecas have agreed to accompany him. The chiefs from Buffalo Creek have proposed a Council and are expected to-morrow. Asks leave to go to Montreal. 215

(In Dorchester's letter of 14th June, No. 84.)

May 27, Niagara. Same to the same. That the Tuscaroras had been advised to remove to the Grand River by the Indians already settled there (p. 121). Respecting the proposed settlement of Americans at Skeendioghquade's Creek (page 123). His astonishment at the censure bestowed on him. Relies on him (Sir John) to explain the matter in its true light. 126

(In Dorchester's letter of 14th June, No. 84.)

May 30, Quebec. Le Maistre to the same. An investigation to be made into the truth of the report that Captain Powell is trying to form a settlement of

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people not the King's subjects (page 123). If true, Captain Powell is to be called on for an explanation of his conduct. Page 124

A similar letter to Gordon of same date. 125

(In Dorchester's letter of 14th June, No. 84.)

June 2, Quebec. Dorchester to Sir John Johnson. Is not satisfied with the speech of the Deputy Agent to the Chiefs of the Six Nations on the 4th of May. He should have consulted the Commandant, and must do so in all cases where he has no special instructions. 218

(In Dorchester's letter of 14th June, No. 84.)

June 2, Quebec. Same to Gordon. The application of Proctor for the hire of one of the King's vessels, has the appearance of an insult. Takes it for granted that means have been taken to prevent him getting any vessel. The caution to be observed to guard against the attempted seizure of the posts, which must include the ships, and of course any other means of carrying hostile designs into execution. Sends copy of letter to Sir John Johnson on the conduct of Butler. 219

(In Dorchester's letter of 14th June, No. 84.)

June 13, Quebec. Report by Captain Gother Mann, R.E., of the state and circumstances of the posts of Pointe au Fer and Dutchman's Point on Lake Champlain. 295

(In Dorchester's letter of 14th June, No. 85.)

June 14, Quebec. Dorchester to Grenville (No. 84). Further reports from Beckwith; does not give the general purport, as Beckwith is to send direct, but only sends minute of a verbal communication respecting the proposed interference with the Western Indians, and of an explanation of misrepresentations regarding the conduct of the traders at Detroit. Orders have been given to discountenance the attempts of the Americans to press forward to the treaty line. Sends documents relating to transactions at Pointe au Fer. Application made to know if the establishment of a Custom house under the authority of Congress, within the King's posts on Lake Champlain, corresponded with his orders; movements in Congress and military preparations in the West, &c., require constant vigilance. Appearance of a Mr. Proctor among the Six Nations, requesting their assistance in settling a peace to be made at a meeting on the Ohio. Active hostilities carried on by the Indians all winter against the Western settlements of the States; military preparations carried on actively on both sides. Further hostilities expected; it is doubtful if the efforts for establishing peace made by the agent at Detroit will be effectual. The necessity of avoiding everything that may involve them (the British) in the contest, as the turn of affairs may expose them to the charge of acting deceitfully to either party. 82

(Enclosures are calendared at their respective dates).

June 14, Quebec. Same to the same (No. 85). Sends plan of communication with Lake Champlain including the posts of St. John's, Isle au Noix, Pointe au Fer and Dutchman's Point. The present works on that point are all bad in every sense of the word. (In Series C., Vol. 381, are the original reports in 1790 and 1791 of the work necessary to be done to put the posts in order.) 253

June 14, Quebec. Same to the same (No. 86). Sends journals of the Legislative Council from 14th March to 30th April, with ordinances and observations. Five bills were not assented to for reasons stated in a separate paper. 298

Minutes. 299 to 334

LETTERS AND PAPERS RELATING TO THE INDIANS.—1791.

Q. 50—2.

1791. March 14 to April 30, Quebec. Continuation of Minutes of the Legislative Council, with proceedings, votes, divisions, &c. Page 335 to 599

April 11, Quebec. An Act to explain and amend the Act for promoting the Inland Navigation and the trade in the Western Country. (English, 600. French, 608.) 600 to 616

To continue and amend Act respecting the practice of the law in civil causes (English, 617. French, 622.) 617 to 626

To continue and amend the Act to empower the Commissioners of the Peace to regulate the Police in the Towns of Quebec and Montreal. (English, 627. French, 631.) 627 to 634

April 30, Quebec. Act to continue an Act to regulate persons keeping horses and carriages for hire, known as *Maitres de Poste*. (English, 635. French, 636.) 635-636

To prevent obstructions to inland commerce on the death of a Superintendent. (English, 637. French, 638.) 637-638

Concerning the building and repairing of churches, parsonage houses and church yards. (English, 639. French, 644.) 639 to 647

To reward Samuel Hopkins and Angus Macdonell and others for their invention of two new and improved methods of making pot and pearl ashes. (English, 648. French, 651.) 648 to 653

Specifications in English and in French. 654-661

June 14, Quebec. Observations by Dorchester on the Acts passed at the last Session of the Legislative Council. 663

Observations on Bills not assented to. These were: 1. An Act to amend the Act regulating the fisheries on the St. Lawrence, the Bays of Gaspé and Chaleurs, the Island of Bonaventure and the opposite shore of Percé. 2. An Act respecting guardians to minors and curators. 3. An Act to regulate the fees to be taken on land carriages at the Port of St. John's. 4. To explain and amend the Act for repairing public highways and bridges in the Province of Quebec. 5. Act to repeal certain clauses of Ordinance concerning advocates, attorneys, solicitors and notaries, and for the more easy collection of His Majesty's revenues. 668

No date. Memorial from the merchants and residents in Quebec, praying that assent be not given to the Act respecting guardians and curators. 671

PAPERS RELATING TO THE JESUIT ESTATES IN CANADA—1790.

Q. 50—A.

1790. August 20, Quebec. Report by Alexander Gray, Attorney General, and Jenkin Williams, Solicitor General, giving a digest or analysis of the contents of the papers enumerated in the reference to the Committe of the Whole Council to report the course remaining to be taken for fulfilling His Majesty's order of 18th August, 1786, relating to the Estates of the Order of Jesuits in the Province of Quebec. The report gives an analysis of their titles to the estates held as fiefs and seigniories, and *en roture*, &c. The report takes up this volume of 195 pages.

JESUIT ESTATES (QUEBEC)—1790.

Q. 50—B.

1790. A general statement of the estates that were of the late Religious Order of Jesuits in the Province of Quebec, Lower Canada, 1790. Covers 168 pages.

1790. TITLE DEEDS, JESUIT ESTATES—1790.

Q. 50—C.

This volume contains 287 pages. Q. 50—D., being a duplicate was not copied.

TITLE DEEDS, JESUIT ESTATES—1790.

Q. 50—E.

This volume contains a copy of the titles collated, covering 155 pages.

JESUIT ESTATES (QUEBEC)—1781.

Q. 50—F.

Aveu et denombrement to the French Intendant in 1733, and another to General Haldimand, 1781.

JESUIT ESTATES—1790.

Q. 50—G 1 and 2.

Continuation of the analysis or digest by the Attorney and Solicitor-General of the titles of the estates of the late Order of Jesuits in the Province of Quebec. The two volumes contain in all 570 pages.

JESUIT ESTATES—1790.

Q. 50—H.

1787.
December 29, Patent or commission of investigation respecting the Jesuit Estates, pursuant to the King's Order in Council of the 18th August, 1786, on Lord Amherst's petition.

George the Third, by the Grace of God, King of Great Britain, France and Ireland, Defender of the Faith, &c.

To our loving subjects Kenelm Chandler, Thomas Scott, John Coffin, Elzeard Taschereau, Jean Antoine Panet, George Lawes, James McGill, Quinson de St. Ours and Jean Hertel de Rouville, Esquires, Greeting:

We being moved concerning the Lands and Estates now belonging to us, and heretofore held and claimed in Our Province of Quebec by a certain religious community known by the name of the order of Jesuits and for our giving or granting parcel or parcels of the said Lands and Estates to our trusty and well beloved subject Jeffery Lord Amherst his heirs and assigns, and being desirous before the Gift and Grant thereof be made in manner aforesaid to be ascertained in due form of law, what Lands and Estates were held, possessed and claimed by the said order of Jesuits within the said Province and the manner and way by which they acquired the same and what portions and Parts thereof have been by them aliened and exchanged and what parts or portions therefore are now vested in Us and may by Us be legally given and granted in the manner above mentioned, and We being also desirous to be fully apprized of the nature and quality of the said Lands and the present Titles by which they are possessed, their present value, the nature and extent of the Right of Seigniory, the nature of the tenures by which they are holden, their exact local Situation, the state of their Culture

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and population and whether any and what claims are made by the heirs of the donors of such parts of the Lands as were given to the said Religious Order by private persons.

We have therefore appointed and given Commission to, and by these presents do appoint and grant Commission to you the said Kenelm Chandler, Thomas Scott, John Coffin, Gabriel Elzeard Taschereau, Jean Antoine Panet, George Lawes, James McGill, Quinson de St. Ours and Jean Hertel de Rouville, Esquires, or any three of you, without delay to make Investigation on all and every the particulars before mentioned by all lawful ways and means in your power, and We command that you certify what you cause to be done respecting the same by virtue hereof under your hands and seals to the Governor of Our said Province, or the Governor or Commander in Chief thereof for the time being. In Testimony whereof We have caused these Our Letters to be made Patent and the Great Seal of Our said Province to be thereunto affixed.

Witness our Trusty and Well beloved Guy Lord Dorchester, Our Captain General and Governor in Chief of Our said Province at Our Castle of Saint Lewis at Quebec, the Twenty-ninth day of December in the Twenty-eighth year of Our Reign and the year of Our Lord One thousand seven hundred and Eighty-seven.

DORCHESTER.

By His Excellency's Command.

GEO. POWNALL, *Secretary.*

General abstract of the Titles of the Estates that were of the late Order of Jesuits in the Province of Quebec,

The abstract gives the name of the Seigniory, a statement of the titles, the contents of the Seigniory, motives and conditions of the grants. Commissioners' opinion on the parts now vested in His Majesty, is given, with observations.

MINUTES OF COUNCIL AND PAPERS RELATING TO INDIAN AFFAIRS—1791,

Q. 51—1.

1791.
June 14,
Quebec.

Dorchester to Grenville (No. 87). Sends minutes of Council on matters of State from the 2nd November, 1790, to the 31st March, 1791, and concerning Crown Lands from 9th October, 1790, to 5th March, 1791. Page 1

Minutes, 15th November. Report on expiring laws. 2

An application from Alexander Wilson to be admitted to faith and homage, with documents. 4

Petitions and memorials read. 13

18th November. Report on the Circle of LaPrairie, with a plan of its proposed limits. 16

Committee appointed on complaints of William and Thomas Taylor. 19

4th January. Report on emigration from Scotland, with correspondence. 23

Provincial accounts for the year ending 10th October, 1790, with proceedings and schedule. 36

Memorials, &c., referred to committees. 69

Report of the Committee on Inland Commerce and Navigation, with proceedings from 2nd December, correspondence, &c. 74

References to committees. 125

Reports respecting the French records; proposed removal of certain of them from Quebec to Three Rivers. 127

Respecting the condition of those at Montreal, with lists. 128

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Same of those at Three Rivers. Page 156
5th January. Further respecting the French records. 160
Report on the petition from Three Rivers, and the object of police generally. 164
Petition (in French). 166
Consideration of reports deferred. 181
Several memorials referred for examination. 183
Report, 11th February, on the complaints of William and Thomas Taylor, with proceedings of committee. 188
Report on expiring ordinances. 196
Minutes, 5th March. Petition from the Circle of Kamouraska laid over. Report on Prerogative Court Jurisdiction. 202
Same, 31st March. Proceedings in the case of Taylor's complaint. 229
Report on the petition of Genevieve Le Blond, with proceedings. Claim to a lot on Mount Carmel. 230
Report concerning the building and repairing of churches, &c., with proceedings. Proposed acts and other documents. 246 to 343
Minutes concerning waste lands beginning, 15th November, 1790. Report on the claim of Messrs. Curot to Grande Isle opposite Cataraqui (Wolfe Island). 345
Report on the progress made in the Surveyor General's office towards the preparation of plans of the Province, with correspondence and list of plans. 349
Report of the Land Committee on a report from the Land Board of Luneburg, with Surveyor General's remarks and other papers. 360 to 386

MINUTES OF COUNCIL AND PAPERS RELATING TO INDIAN AFFAIRS, 1791.

Q. 51-2.

Continuation of the report of the Land Committee. Business proposed to be done by the Surveyor General's Department for the ensuing season. For Luneburg. Page 387
For Mecklenburg. 388
For Nassau. 389
List of expenses to be incurred. 390
Concerning two new townships to be laid out at the back of Cornwall and Charlottenburg. 400
Report respecting claims of rangers and loyalists in Hesse. (The names are given, beginning at page 405). 400
Further proceedings of the Committee, including the decisions on applications for lands, giving the names and reasons for the decisions. (These begin at page 417). 407 to 444

February. Proceedings at Philadelphia in December, 1790, and January and February, 1791, with three chiefs of the Seneca Nation. 700 to 753
(In Dorchester's letter of 1st July, No. 95).

April 9, Wyoming, Pa. Another speech from Pickering to the Six Nations, on the same subject as was discussed on the 17th April. 769 to 772
(In Dorchester's letter of 1st July, No. 95).

April 17, Wyoming, Pa. Speech of Pickering, on behalf of the United States, to the Six Nations, inviting them to a Council at the Painted Post, for the consideration of pacific measures. 761 to 764
(In Dorchester's letter of 1st July, No. 95).

April 23, Pittsburg. Speech of St. Clair to the Senecas, inviting them to join him against the Western Indians. 764 to 768
(In Dorchester's letter of 1st July, No. 95).

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May 20, Detroit. Extracts of a letter (in French), but the name of the writer not given. That a letter from Kahokia, signed Le Vallier, has been sent to Dubois, a surveyor, desiring him to go to *l'Anse à la Graisse* to lay out farms. The Indians are collecting in great numbers at the Miamis, among them Brant with 30 men, Hurons and Indians from the Saginaw. Americans, it is reported, were to march on the 15th instant; the Indians at the first news are to go to meet them. The traders have returned with their goods; there are nearly two thousand Indians at the Miamis for the last 8 or 10 days. Page 695

(In Dorchester's letter of 23rd June, No. 94).

May 24, Niagara. Proceedings with the chiefs of the Six Nations, relative to the proposals of Proctor, Pickering and St. Clair, on behalf of the United States, with the answer of the Commandant (Colonel Gordon). 754 to 760

(In Dorchester's letter of 1st July, No. 95).

May 30, Miamis. McKee to Major Smith. Had sent Elliot to Detroit to prevent the Indians expected to pass there from being too troublesome. Will wait till it is time to distribute the usual presents. Nothing further of the late alarm at the Miamis, so expects the chiefs down. A prisoner reports that the Indians are to be called to a Council at Fort Washington. Proctor is on the way to meet them; if they do not come an army of 5,000 men is ready to march against them. Will send the result of the meeting to be held here. 734

(In Dorchester's letter of 1st July, No. 95).

June 4, Miamis. Same to the same. A deputation of Chiefs from the Glaize reports the march of an army advancing into their country. The Indians here have determined to move towards the Miamis Towns and wait the event; if the report be authentic something important must happen in the next few days. Report that Proctor was seen near the Glaize, asking for him (McKee), but that is some time ago, and nothing more has been heard of him. The Indians now appear to be unanimous in the resolution to defend their country. 785

(In Dorchester's letter of 1st July, No. 95).

June 4, Foot of the Rapids. Joseph Brant to Sir John Johnson. His disappointment at not meeting the United States Commissioner, as matters might have been settled. Prospect of further hostilities; is determined to join the Western Indians in defence of their country. Recommends his family to protection. 782

(In Dorchester's letter of 1st July, No. 95).

June 5, Detroit. Major Smith to General Clarke. Elliot is just arrived with report of an army of the United States being close on the Miamis Towns. About 200 warriors have passed here within these few days. Elliot believes the Indians, when collected, will number 2,500 fighting men. 783

(In Dorchester's letter of 1st July, No. 95).

June 8, Detroit. Journal (in French) of occurrences in the Indian country and at the post. 787

June 9, Buffalo Creek. Proceedings of a meeting with the Six Nations on the 8th and 9th of June, in consequence of a message from Niagara. 773 to 776

(In Dorchester's letter of 1st July, No. 95).

June 11, Niagara. Gordon to Joseph Brant. Is glad to hear of his health. Is at a loss to understand the intentions of the Americans. Whilst assembling councils to settle peace, the Six Nations have received a message from St. Clair to take up arms against the Western Indians. Can the Americans believe the Indians can be duped by such shallow artifices? They saw the matter in its proper light and treated the invitation with contempt. The different Commissioners have cautiously avoided applying for British interference, wishing to impress the Indians with their (the Commissioners') importance. This is not the way to proceed. Had

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they applied to the British Government to bring about a peace on equitable terms he believes it might have been accomplished long before this time. Hopes they will adopt this mode, and that peace, so much to be desired, may be permanently settled. Page 777

(In Dorchester's letter of 1st July, No. 95.)

June 13, Niagara. Butler to Sir John Johnson. That precautions should be taken to guard against the worst, as the Americans, under pretext of one object, may be aiming at the posts, and their attempt to draw the attention of the Six Nations in another direction gives reason to believe this and the smallest pretext may be used to make the attempt. Should the Indians be defeated and fly to the posts for shelter, or should even the accustomed supplies be continued to the Indians, either would be made a handle of. Has sent out messengers for information. Precautions to be taken should there be further reason to think the Americans aim at this post and Oswego. The returns of Militia will show the reliance to be placed on them. The Indians (with a few exceptions) are firmly attached; means to be used to keep them so. Has already brought back the scattering Senecas. 779

(In Dorchester's letter of 1st July, No. 95).

June 14, Quebec. Dorchester to Grenville (No. 88). Sends state of the Council. 444

State of the Council on the 1st of May, 1791. 445

June 14, Quebec. Dorchester to Grenville (No. 89). Sends petition against a change of tenure, which was signed by few but the framers and their immediate adherents. Sends remarks by Mr. Bedard, one of the directors of the Seminary, against a change. 446

Petition (English 448; French 454). 448 to 461

Observations by Charles de Lanaudiere on the proposed change (English 461; French 466). 461 to 470

Observations (anonymous) on the proposed change, dated in London, in support of a change of tenure (English 470; French 472). 470 to 474

Observations by Reverend T. Bedard on the proposed change of the tenure. (English 475; French 506). An elaborate account of the system of feudal tenures. 475 to 535

The documents accompanying Lord Dorchester's letter, No. 89, from p. 448 to 535, were published by authority in the official *Gazette*, in both languages.

June 15, Caldwell's Manor. Conroy to Gordon. Encloses a warrant sent by Governor Chittenden of Vermont to call a meeting here. Hitherto no meeting called within the posts by authority of the States has been allowed by Government. Asks for instructions. 691

Warrant signed by Chittenden, Governor of Vermont, enclosed. 692

(In Dorchester's letter of 23rd June, No. 94).

June 20, Montreal. Lt.-Col. Harris to LeMaistre. Encloses correspondence handed to him by Capt. Gordon. Has written to Gordon that Conroy has done right to discourage the meeting, but asks the same question as Conroy: If the settlers attempt to meet, what is he to do? 690

June 21, Quebec. Dorchester to Grenville (No. 90). Had appointed a Committee of Merchants to ascertain the amount of the "General average" on the loss of the "Atlas," so as to ascertain the proportion for which Government is liable. The papers, 1 to 5, show the proceedings and the proportion due by Government for which a warrant has issued. The Commissary and Store-keeper General have been ordered to take charge of the goods to prevent further loss. Papers 6 and 7 show how the goods were landed and the method proposed for their recovery. They have been landed, dried and stored at an expense shown in paper marked 8. The woollens and scarlet cloth have been stained; the cause will be explained to the Indians when the goods are distributed. 536

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The papers referred to (No. 1 to 8). Page 539 to 560

June 21, Quebec. Dorchester to Grenville (No. 91). Sends requisition for goods for presents to the Indians. The demand has been deferred till the state of the goods by the "Atlas" had been ascertained. 561

Requisition. 562

June 21, Quebec. Dorchester to Grenville (No. 92). In consequence of reports that goods of inferior quality for the Indians were charged at the same price as those of the best quality, he has appointed a larger Board of Survey than usual, to make a thorough examination of the whole question of goods for the Indians. The report shows that the rumours were not altogether unfounded. Remarks on the suitableness of the goods for the purpose intended. Report sent to Sir John Johnson for his remarks, which are enclosed, together with those of Goddard, Storekeeper General, and of Dobie, merchant. 563

Journal of proceedings of the Board upon Indian presents, including warrant, invoices, discussions, &c. 566

Letter to Sir John Johnson, and his answer. 680, 681

Remarks by James S. Goddard. 682

Remarks by Richard Dobie. 683

June 23, Quebec. Dorchester to Grenville (No. 93). Has named Commissioners for the building and repair of churches, &c. 685

The Commission. 686

June 23, Quebec. Dorchester to Harris. Rumours received of some of the King's subjects in the vicinity of Lake Champlain being called to attend illegal meetings. They are to be warned of the consequences, and that all who do not acknowledge the King's authority are to remove to a considerable distance from his posts. How these orders are to be carried out. 693

(In Dorchester's letter of 23rd June, No. 94).

June 25, Quebec. Same to Grenville (No. 94). Encloses further correspondence respecting the disputes on the frontier on Lake Champlain. (See Q. 50, p. 82.) 688

(Correspondence of 15th, 20th and 23rd June and 20th May at the respective dates of the letters).

July 1, Quebec. Dorchester to Grenville (No. 95). Sends further intelligence from Niagara and Detroit respecting the Western Country. 696

(Enclosures calendared at their respective dates).

MINUTES OF COUNCIL AND MISCELLANEOUS PAPERS—1791.

Q. 52.

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April 30. Fort Harmar. Message from St. Clair to the Delawares. Expresses sorrow for the murder of some of the Delawares at Beaver Creek. The President is very angry; it has happened at a time when peace might have been obtained. Complains that word was not sent when parties of bad Indians were setting out. The agreement to deliver up the guilty has not been kept and the revenge for the murder of the Indians makes it more difficult to punish the guilty white men. The warning that was sent to the Delawares when the Shawanese and Miamis forced on war, that they should keep at a distance from them, as the United States did not wish to do them (the Delawares) any harm. An offer of peace has been again made to these nations. If they will take it, all may be well, if not he advises the Delawares to sit still at home. If the Shawanese and Miamis are for peace they will come to Fort Washington; if the friends of the Delawares killed come there also they will be satisfied for what they were robbed of. Page 244

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Message to the Wyandots, of the same date, is to a similar effect. Page 247

(In Dorchester's letter of 1st August, No. 100).

May 21, Nassau. Return of the 1st, 2nd and 3rd Battalions of Nassau Militia. 196

A return, dated 8th June, entitled "Return of the Detroit Militia fit for active service, who can be draughted without injury to the necessary agriculture of the settlement, with the number that can move as Cavalry." 197

(The returns in Dorchester's letter of 27th July, No. 98).

April 15, Grand Glaize. ——— to McKee. The party of Americans, 700 horse, about 10 days ago surprised in the night and destroyed the Ouias and Kikapoos, killed 40 men and carried off 30 women and children. Five hundred Indians of these towns, who had been at the Council, pursued the Americans to recover their women and children, but it is not known if they have been able to join them. It is supposed Clark commanded the party. The Indians are not cast down, but have determined to defend their country to the last. 243

(In Dorchester's letter of 1st August, No. 100).

June 20, Foot of the Miamis Rapids. McKee to Sir John Johnson. Had come here to be informed of the terms on which the troubles between the Indians and United States could be terminated. The continual alarms had prevented him from detaining the chiefs for deliberation, although more warriors had passed than he had conceived could be collected in so short a time. The number that has gone in answer to the summons of the Shawanese and Miamis amounts to 1,057 fighting men, which, added to those of the Miamis Towns, &c., will amount to nearly 2,000. The American army, of 600 or 700 horse, had retired after having destroyed a village on the Wabash and taken or killed the old men, women and children left behind. As the pacific intentions of the American States are introduced in this manner so very early in the season, he fears all proposals for peace will be vain, but he shall assemble all the chiefs he can collect and endeavour to fulfil His Lordship's orders. In answer to the question, his opinion is that in event of the approach of an army, the post of Detroit should be defended by troops occupying a distant station. He recommends post to be taken at the foot of the Miamis Rapids, or vicinity, in a small work of sod or pickets. During the late war posts were at this place (the Rapids) and at Miamis Towns, and should never have been evacuated, as they are the key to Detroit. Prays that a stop may be put to the unlimited license to the traders to sell spirituous liquors to the Indians, especially where an enemy is expected. The injurious effects in various ways (stated). Small quantities might be allowed under license from the Commander, subject to proper regulations. 234

(In Dorchester's letter of 1st August, No. 100).

June 23, Miamis Rapids. Brant to Sir John Johnson. The Shawanese and Miamis are the only Indians that seem unreasonable. The others are easily advised. All are in high spirits. The only obstacle to success is want of provisions; they can always get arms, &c., somehow. Has found the Lake Huron and Delaware Indians reasonable, and hopes they may point out a reasonable boundary line. 251

(In Dorchester's letter of 1st August, No. 100).

June 24, Detroit. Extract from a private letter to Motz. Remarks on the returns of the militia at Detroit and the misunderstanding caused by the misapprehension of the captains of militia as to the manner of obtaining proper returns. 198

(In Dorchester's letter of 27th July, No. 98).

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June 26, Grand Glaize. ———— to McKee. Details of the damage done at Ouiatonon by American horsemen, who intended to attack the Miamis, but surprised a small village of Ouias, consisting of nine men and their families, killed eight men and took one man with the women and children prisoners. The people of another village attacked by mistake were taken prisoners, except one boy who fled to Tippecanoe, where he was not believed, and no preparation made, but on the approach of the enemy all fled but three old men, who crossed the river, were fired at but not pursued, the river being high. They burned all Jacques Godfroy's goods. On their return they sent back 16 women, but have still 24 women and children. A war chief of the Ouias, who was killed, they literally skinned. The party consisted principally of the French *habitants* of Post Vincennes, with 70 or 80 Americans. Page 241

(In Dorchester's letter of 1st August, No. 100).

June 27, Foot of the Miamis Rapids. McKee to Sir John Johnson. The chief necessaries wanted for the Indians are provisions. Ammunition, tobacco and paint have, however, been rather scanty as times have turned out. 238

(In Dorchester's letter of 1st August, No. 100).

June 29, Niagara. The Indian Agent to Sir John Johnson (Extract). Sends two speeches from General Butler to the Five Nations and intelligence by Prentup, (Prentiss?) which he can hardly believe. Is convinced from the speeches, &c., that the Americans are determined the Indians shall not remain neutral; thinks he can rely on the firmness of those who went to the Painted Post. 181

The speeches enclosed: One (undated) by General Butler to the Five Northern Nations, the Senecas, &c., on the subject of Governor St. Clair's invitation to them to join the States in the Indian war (182); the other, dated Pittsburg, 5th June, informing the Indians that he thinks M. de Bartzel a proper person to accompany them in case they should join St. Clair (186). 182–186

(Letter and speeches in Dorchester's letter of 27th July, No. 98).

June 29, Niagara. Proceedings of a council held by Colonel Gordon with the Chiefs of the Mohawk Nation, concerning their critical situation in the event of Joseph Brant joining the Western Indians at war with the States. 187

(In Dorchester's letter of 27th July, No. 98).

June 29, Niagara. Colonel Gordon to LeMaistre. Has investigated the charge that Captain Powell was tampering with the Indians of Buffalo Creek to establish a settlement of persons not subject to the King, and has no reason to suppose him reprehensible. But as he does not know the name of the informant he cannot investigate the transaction fully. 195

(In Dorchester's letter of 27th July, No. 98).

June 30, Quebec. LeMaistre to Harris. An intelligent and discreet officer to be sent to Caldwell's Manor to choose a site for encamping 500 men, to command that part of the country, and protect Dutchman's Point. 178

(In Dorchester's letter of 27th July, No. 98).

July 1, Quebec. Dorchester to Grenville (No. 96). Sends Minutes of Council on State affairs and on Waste Lands. 1

Minutes of Council on State affairs. Business (specified) referred to committees. 2

Report and journals of committee and the same on the Committee of the Whole on the revision of the Militia Ordinance, with the discussions, divisions, &c. 4 to 100

Taylor's complaint against the Court of Common Pleas referred to Committee of the Whole. 101

Report on Provincial accounts, with tables of expenditure, &c. 103

Report on the culture of hemp referred to a committee. 130

Various subjects referred to committees. 131

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Minutes on Waste Lands. Report on sundry petitions, namely, Robert Smith, William Henry, James Monk and François Duval; A. Lefebre Bellefeuille; George McBeath; Black and King, ship builders, for lands at St. Roch (not granted); for additional land for a ship yard at William Henry (not recommended). Church Wardens of Lutheran Church, Williamsburg; Armand Dugas, Cap Chat; Richard Cartwright, Jr., Ernest Town; Nicholas Austin, Missisquoi Bay; Sir John Johnson, for Grande Isle, opposite Kingston; Ephraim Sanford (with memorial and accompanying documents). Page 137 to 154

Report on the report of 22nd February, respecting two new townships at the back of Cornwall and Charlottenburg. 155 to 162

Schedule of Land Boards (names of the members of each); appointments continued till 1st June, 1793. 163 to 166

Various reports received. 167

July 4, Niagara. Colonel Gordon to Dorchester. Had received letter respecting Lt.-Colonel Butler's speech to the Six Nations. Had sent copies of papers and letters on Indian affairs. Owing to the critical situation, is desirous of having additional instructions. Is convinced that the Six Nations will be obliged to take hostile measures either in favour of the Americans or in support of the Western Nations; in either case they will expect decisive measures. Should they refuse to join the Americans many of the villages and scattered settlements will be sacrificed. Many of the Delawares, who remained after the peace on their old settlements, are now crowding in to avoid joining the Americans. All the Indians are alarmed. The decision come to will either rivet their attachment or have the contrary effect. Is convinced of the happy effect Sir John Johnson's presence would have. Has given orders that the merchant vessels, being unarmed, are not to sail except under convoy. Asks for His Lordship's commands on this subject. 190

(In Dorchester's letter of 27th July, No. 98).

July 5, Foot of the Miamis Rapids. McKee to Sir John Johnson. At the Council held on the 1st and 3rd instant he used his best endeavours to carry out His Excellency's commands. Had been obliged to consent to the deputies going down, but hopes they will not be detained longer than necessary. Had brought 500 bushels of corn for the distressed people at the Miamis Towns, but the Indians at the Council had consumed it all, so that none was appropriated for the original purpose. The necessity for an additional supply for that purpose and for the meeting in September. Speeches have arrived from the Americans, which the Indians consider tend to divide them. They have determined on a Confederacy of all the Indians to defend their country to the last. Sends the speeches, except that to the Six Nations. The boundary line which the Indians contend for is the River Ohio as far eastward as Muskingum, then up that river as far as the portage which crosses to Cayohoga; thence in a direct line across the country to Venango, to be bounded on Lake Erie by a line to be drawn from Venango to the line dividing the Six Nation and Lake Indians. 239

(In Dorchester's letter of 1st August, No. 100).

July 5, Miamis Rapids. McKee to Major Smith. The Indians at a Council on the 3rd resolved to send deputies to represent their affairs to His Excellency personally; had promised (for reasons given) to write to Detroit for a passage for them in one of the King's ships and other necessary assistance. A further stock of provisions wanted. 252

(In Dorchester's letter of 1st August, No. 100).

July 9. Brant to Major Smith. For a passage to the deputies. (See McKee's letter of 5th July, page 252). 254

(In Dorchester's letter of 1st August, No. 100).

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July 10, Detroit. Major Smith to General Clarke, Lieutenant Governor. Sends copies of letters from McKee and Brant. The Chiefs go to Fort Erie in one of His Majesty's ships on or before the 13th instant. Page 252

(In Dorchester's letter of 1st August, No. 100).

July 14, St. John's. Harris to Le Maistre. That Captain Gordon had returned from Dutchman's Point, where he found all quiet. His letter enclosed. 179

The letter from Gordon to Harris says that Conroy and Captain Savage did not believe any meeting would take place, and that the greatest part of the manor would be happy to be under British Government. A list of those who refuse to take the oath of allegiance; they are to be warned off the manor (sometimes called Alburgh). The point called the "Tongue," perfectly commands Dutchman's Point. (The "Tongue" described). Thinks it will answer extremely well for encamping troops; its distance from Dutchman's Point is about 700 yards. 179

(In Dorchester's letter of 27th July, No. 98).

July 14, Quebec. Dorchester to Colonel Gordon. Sees no reason to change former instructions. In regard to merchant vessels, it is sufficient to give orders to the King's armed vessels to give protection to such as shall ask it and to recommend the merchant vessels to take advantage of this as circumstances may admit. Should further restraints be necessary they must be imposed in accordance with the Ordinance of 1788, on Inland Navigation. The cautions to be observed respecting the vessels and allowing unknown persons to come on board, &c. 193

(In Dorchester's letter of 27th July, No. 98).

July 20, Detroit. Letter (in French), without signature or address. The enclosed message from Brigadier Charles Scott has made an impression on the Indians of the Illinois and St. Josephs, but not on those of the Miami, who take little account of such threats. Many of the chiefs proposed to go to Canada, but were not ready when the vessel left; others thought that the message sent by Brant was sufficient. The Spaniards have built a new fort on the Illinois, with sixteen 6 and 9-pounders; many of the French settled at Kaskaskias have crossed to the Spanish side. The Americans here are very ficklo; they have scarcely cleared a single piece of land when they leave it to go to the lower part of the Mississippi; they are expecting troops and are afraid of the English at Makinak and Detroit on the appearance of war. Should the Indians obtain a treaty of peace with the Ohio as the limit, on their ceding to Government lands on this side of the Ohio, forts could be established on the Wabash, the Illinois and the Mississippi to the advantage of trade. 274

Message addressed "To the various tribes of Piankieshaws and the Nations of Red people living on the waters of the Wabash River" by Brigadier General Charles Scott, dated Ouiatonon, 4th June, 1791. That the patience of the Sovereign Councils of the United States was exhausted and they had now taken up the hatchet. The Indian warriors had fled and left the women and children to their (Americans') mercy; they had destroyed the town of Ouias and other towns, but they have stopped their hands because they are merciful as strong, and hope the Indians will awaken to their interests and make peace, as there is no wish to destroy the Red People. There is no intention to detroy women, children or old men; prisoners will be sent to St. Clair, where they will be kindly treated. Desires the Indians to come to the Miamis on the 1st of July if they wish to recover the prisoners and to make peace. If not the sons of war will be let loose. 275

(Letter p. 274) and message in Dorchester's letter of 17th August, No. 102).

July 27, Quebec. Dorchester to Grenville (No. 97). Dispatches received. Communications from the United States sent. 169

1791. Member of the Senate says that he had large share of putting the Custom House at Alburgh, but had no idea it was within any of the posts.

Supposed 7. That Col. Smith had gone to England on private business, partly of his own and partly that of his father-in-law, Mr. John Adams. His pleasant conversation with Grenville respecting a consideration of commercial matters between the two countries, statement by Grenville that a Minister would be sent to the United States within three months. Conversation respecting hostilities with the Indians and remarks of Lord Grenville; reflections on the views that might be taken of his remarks. Concerning the application of Keyes for a Custom house at Alburgh. Keyes had no authority for making the application; he is one of the busy characters who are anxious to show their own consequence.

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July 27, Quebec. Dorchester to Grenville (No. 98). Had called on the the commandants of frontier posts to take measures of precaution in case of attack. Returns sent of the militia of Niagara and Detroit; has ordered an inquiry into the cause of discrepancies in the returns. The necessity of having an officer of abilities stationed to have charge of the militia. 174

(The letters &c., calendared at their respective dates).

July 27, Quebec. Dorchester to Grenville (No. 99). Sends naval officer's return of vessels entered and cleared at Quebec, between 5th April and 5th July. 200

August 1, Quebec. Dorchester to Grenville (No. 100). Sends further information concerning the affairs of the Western country. 231

(The enclosures are calendared at their respective dates).

August 1, Quebec. Dorchester to Sir John Johnson. From the reports of McKee it appears that provisions are wanted for the Indians. As the present cause is their meeting for the desirable purpose of re-establishing tranquillity they are to obtain such a supply that they may not suffer, from their compliance with the request to consider terms of peace. 254

(In Dorchester's letter of 1st August, No. 100).

August 1, Quebec. Motz to Sir John Johnson. McKee has stated that during the late war posts were found expedient at the foot of the Miamis Rapids and at the Miamis Towns. Dorchester wishes to be informed of the strength and nature of these posts, when they were erected, and when and by whose order they were abandoned. 256

(In Dorchester's letter of 1st August, No. 100).

August 10, Montreal. North-West Traders to Sir John Johnson. Ask him to represent to Dorchester the alarming situation of their trade to the Southward of Detroit; the chief part of it is carried on in the Miamis country, and last year the traders suffered loss by the burning of the Miamis Village, although they had time to carry off a great part of their goods. So long as the war between the Americans and Indians continues the trade must stop, as neither the lives nor property of the traders are safe, nor can their goods be exchanged for skins. Believe His Excellency will use his influence to persuade the Indians to listen to terms of peace. 272

(In Dorchester's letter of 17th August, No. 102).

August 13. Quebec. Dorchester to Grenville (No. 101). Resignation of Panet, one of the judges of the court of Common Pleas. The infirm health of de Rouville. He has not filled up the vacancy, leaving it to the Ministry to determine the future organization of the courts. 257

August 13, Quebec. The same to the same. Arrival of Prince Edward (Duke of Kent). 258

August 17, Quebec. The same to the same (No. 102). Sends copy of his answer to the deputation of Western Indians, and their declaration of the terms on which they are prepared to make peace with the United States. Sends also copies of a minute of a private conference with some of the chiefs;

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of a letter from merchants of Montreal in the Indian trade South of Detroit, and of a letter from Detroit on Indian affairs. Page 259

(The documents enclosed are calendared at their respective dates.)

Dorchester's speeches to the deputies from the confederated Indian Nations of the Ottawas, Chippeways, Potawatomies, Hurons, Shawanese, Delawares, Twit-wis and the Six Nations. 260

Minutes of meeting with the deputies at which the boundary line was laid down. (See McKee's letter of 5th July, p. 239). 267

Speech of Brant to Dorchester at the meeting on 14th August. 268

August 17, Quebec. Dorchester to Grenville (No. 103). Sends copies of documents from Montreal, alluded to in the application of the French Minister. 278

Inventory and registration (in French) of the effects of the succession of Sieur St. Sauveur and demoiselle La Marque, his wife. 279 to 316

August 27, Quebec. Lieut.-Governor Clarke to Grenville (No. 1). That Dorchester had sailed on the 18th. Had deferred taking up the administration for a few days till Dorchester was clear of the coast, but had been sworn in on the 25th and entered on his duties as Commander-in-Chief. 317

September 2, Quebec. Clarke to Grenville (No. 2). Sends proceedings of the Agricultural Society of Quebec, respecting the most effectual means of inducing the farmers to undertake the cultivation of hemp. Dorchester will be able to give every information on the subject. 318

The proceedings of the Board of the Agricultural Society of Quebec. 320

September 15, Whitehall. Dundas to Dorchester. Sends Order in Council of 24th August for dividing the Province of Quebec into two distinct Provinces. 201

Order in Council. 202

September 16, Whitehall. Dundas to Dorchester (No. 1). His Majesty's concern at the report of hostilities between the American States and the Indians and at the prospect of their continuance. His (Dorchester's) course approved of. His Majesty trusts that the officers have observed the strictest neutrality, which is the more necessary from the suspicions held and expressed by persons in the service of the United States. A copy of the instructions sent to Hammond to counteract this. It is to the interest of the United States and equally so of the Indians that a plan should be formed to adjust matters. It is evident that unless means are taken to put an end to the war this country must be placed in an unpleasant situation. His Majesty, therefore, desires him to take every prudent measure to effect a speedy termination of the war. If any overture should be made by the American States through Hammond for his (Dorchester's) interposition it cannot be better exerted than by prevailing on the Indians to accept any reasonable proposition. The chief object is to obtain for them the peaceable possession of their hunting grounds. The effect on trade of the extirpation of the Indians or the want of security in the possession of their lands. His course respecting the posts approved of; that subject has been given in charge to Mr. Hammond; to communicate with each other on any questions that may arise respecting the posts. Is aware of the importance of having a person of judgment and discretion in the neighbourhood of the posts; believes Colonel Simcoe will fully answer that description. A new commission will issue for the Superintendent General of Indian Affairs, so that the department may be under the control of the person holding the Government of the Province in which the Superintendent may reside. Merchandise ordered as recommended by His Lordship to be sent. Respecting the law for trial by jury, &c. In any changes to be made care is to be taken not to create dissatisfaction among the Canadians. Respecting clergy and crown reserves. 206

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September 16, Whitehall. Dundas to Dorchester (No. 2). Sends copy of the Act for forming two Provinces; his (Dorchester's) commission revoked as Governor of Quebec, and another issued investing him with the chief Government of the two Provinces, which, with instructions, is sent. How quorums for the Councils and Assembles should be regulated. The increase in the number of representatives renders necessary a different distribution from that originally proposed. Recommends Quebec and Montreal to be each divided into two districts, each district electing two members. How the representation of the other parts of the Province should be settled. The question of the right of granting money by the Assemblies; the claim is reasonable but should not be overstrained. The support of the clergy and the question of building parsonages. The legislation for the collection of duties. Page 213

Proposal for the division of Lower Canada for the representatives. 219

September 16, Whitehall. Dundas to Dorchester (No. 3). Sends copies of letters addressed to the Secretary at War respecting a corps to be raised for service in Upper Canada. The duty of the Mother Country to adopt every plan to promote the wealth and population of its colonies, and to attend to their progress with a view to relieve the country from the exigencies of colonial establishments. The corps to be raised will be of essential benefit to the colony, and lay a solid foundation for the gradual increase of military strength, in the shape of a militia or yeomanry. How it is to be regulated. The expense will fall at first on the country, but will be soon obviated by the lands to be cleared by the militia, one third to be appropriated for the disbanded soldiers, the other two-thirds to be reserved for the benefit of Government. Fifty acres each to be granted to the men on their discharge need not all be cleared, one-half cleared and the other half to be cleared by the man and his family will be an ample reward for five years' service. The additional benefit these cleared lands will be of, besides relieving the country of the military and civil expenses of the Province. An apppropriation of part of these cleared lands might be made for the permanent support of distressed loyalists receiving present assistance and as a provision for their families. The same rule might apply to loyalists for whom no compensation has yet been provided, although they have no positive claim. The acts of humanity at the same time contribute to the prosperity of these valuable colonies. These remarks apply to Upper Canada, but wherever there are large tracts of uncultivated land in His Majesty's colonies in North America the same beneficial consequences would result from the establishment of such a corps as that now adopted for Upper Canada. Local circumstances might involve differences in detail, but the general principles are applicable to all the colonies. It has not been thought expedient to carry the system further than by a levy for the service of Upper Canada, but His Lordship's views are requested as to its extension to the other Provinces. 221

September 16, Whitehall. The same to the same. That the petition from the merchants concerned in the export trade has been referred to the Lords of Trade. Instructions have been sent to the Governors in the West Indies to refer the question of exports from Canada to their respective Legislatures. 227

September 16, Whitehall. The same to Sir John Johnson. That in the absence of the Commander-in-Chief, the Superintendent General of Indian Affairs is to receive orders from the officer left in command. A new commission is enclosed in place of the one he (Sir John) now holds. 228

Warrant appointing Sir John Johnson Superintendent General of Indian Affairs, &c. 229

October 12, Quebec. Clarke to Dundas (No. 1). That he has received information of his (Dundas') appointment, &c. 332

1791.
October 12, Quebec. Clarke to Dundas (No. 2). Sends proceedings of the quarterly meeting of the Agricultural Society of Quebec in relation to the culture of hemp. He agrees that a stock of seed should be kept up for the use of the country people, but cannot pledge the credit of the Government for the expense without authority. Page 333

Report of the quarterly meeting. 335

October 24, Quebec. Clarke to Nepean. That proceedings relative to French emigrants by the Board of Agriculture had been sent by mistake. Now sends the proper official communications on the subject. In report (A) of part of the proceedings of the Board the questions of defence and settlement are entered upon, which are apart from the design of the institution, and he had, therefore, declined to comply with the request of the Board, &c., &c. 347

Extract from the Minute of the Quebec Board of Agriculture. 350

Answer to the Board referred to in letter to Nepean. 351

October 24, Quebec. Clarke to Dundas (No. 4). Sends naval officer's returns of vessels entered and cleared at Quebec between 5th July and 5th inst. 353

MINUTES OF COUNCIL, &c.—1791.

Q., 53-1.

1791.
November 1, Quebec. Clarke to Dundas (No. 5). Sends minutes of Council from 9th June to 25th August, containing the proceedings on the complaint of Louis Foucher against Judge Rouville and William and Thomas Taylor against Mr. Fraser and Mr. Rouville, and against John Reid, respectively judges and clerk of the Common Pleas at Montreal. Page 1

Proceedings relating to Foucher's complaint. (The schedule of the documents begins at page 29). 2 to 35

Report on the complaint of Messrs. Taylor. (The charges begin at page 41. The schedule of the documents begins at page 47). 36 to 65

Six reports concerning Courts of Request. 1. On petition for a circle from St. Roch and adjacent parishes on the south side of the St. Lawrence below Quebec; 2. For a circle from Kamouraska, &c. 3. A petition respecting fees and mode of proceeding in the Courts of Request. 4. For a circle fr m St. Paul's Bay and adjacent parishes; the same from William Henry; the same from Rimouski, &c. 5. On a complaint from Laprairie; on a petition from River Ouelle; another from the parish of Longueuil against the establishment of a Court of Requests on a petition of certain inhabitants of Longueuil to the contrary effect. 6, Draught of letters patent for effecting the alterations recommended in the third report. These reports referred to Committee of the Whole for consideration and report. 65

Report by the Governor that 2,000 bushels of hemp seed had been received, of which 1,200 had been distributed. 67

Report on ancient French records. 68

Oaths of office taken by De Bonne and Finlay. 82

Report on the claims of Dr. Bowman on account of the St. Paul's Bay disorder, with memorials, claims in detail, correspondence, &c. 83 to 156

Report of the committee appointed to prepare a list of the parishes in the Province, with the dates of their erection, showing the seigniories, parts of seigniories and other grants therein comprehended, dates of the original grants, number of male inhabitants, specifying those between 16 and 19, and those above 19 years of age. (The tables are given, seven in number, between 164 and 165, paged from 164*a* to 164*g*). 156

Petitions, &c., referred to committees. 165

1791.

Report on a claim by Fraser & Young for a commission on the purchase of flour. Page 167 to 188
Other business, address to Dorchester and reply, &c. 188 to 194
Oaths administered and proclamation respecting officers to act during the absence of Lord Dorchester, &c. 195
Schedule of documents in the case of the complaint of Louis Foucher. 198
Transcript of the proceedings in the same case to be kept in the Council office. 205 to 263

MINUTES OF COUNCIL—1791.

Q. 53-2.

1791.
November 1, Quebec. Continuation of transcript of papers in the case of complaint by Louis Foucher, sent with Clarke's letter of this date (No. 5). 264 to 573
(The papers contain all the evidence, report of the committee, &c.)

MINUTES OF COUNCIL, &c.—1791.

Q. 54–1. Q. 54—2.

1791.

(Q. 54–1 extends to page 368; Q. 54–2 begins at page 369).

January 17, London. Watson to Bernard. That samples of hemp applied for by Dorchester had been shipped to Quebec last Spring. Page 685

February 1, London. John Brickwood to Grenville. Sends report of hostilities between the Indians and the Americans, with extracts of letters. Some of the gentlemen mentioned accompany the merchants to meet His Lordship and can answer questions that may be asked. 686
Extracts from letters dated in December, 1790, from Quebec and Montreal, enclosed in the preceding letter. 687, 688, 690
Extracts on the same subject received from Mr. Inglis. 695

August 9, London. Levi Allen to Dundas. That he had been instructed by Governor Chittenden's and Allen's party, when he was leaving Vermont in 1789, to assure the British Government that when Vermont was ready to join Great Britain or Congress it would be the former she would join. Indeed at that time the principal men were for joining Great Britain immediately, in order to which Ethan (now deceased) Ira and himself had visited Quebec and made Dorchester a written offer to that effect about two months before he (Levi) had left for London. The little encouragement; Simcoe's proposals sent to Chittenden and Ira Allen. Preparations to send a cargo to William Henry there to receive a return freight; the obstacles and delays; minute details of the ship being taken to Georgia and his course there. Defeat of Chittenden and election of Robinson to be Governor; overtures in consequence for a union with Congress. After Chittenden's reelection in October, 1790, Congress passed a resolution to admit Vermont and at the same time to admit Kentucky, and also passed a decree to establish a Custom house on Lake Champlain to make the Vermontese pay the same duties on goods through Canada as they pay on those by way of the Hudson. There has been no special or general meeting of the Vermont Assembly, and there can be no joining the Union till it is so decided in October next, when he shall be at the meeting, and has no doubt the proffer of Congress will be rejected. The reason for Chittenden's warrant for a meeting at Alburgh. Vermont has no intention of giving up any of the lands to New York. As many of the people of Vermont adhere to the

1791.

Church of England, he could wish that a Bishop were sent to Quebec, who would have access to Vermont, where he could assist the cement necessary between Canada and Vermont, the latter of which would appropriate land for his support out of that already granted for the glebe of the Church of England. Page 698

October 27, Montreal. Petition of John Fraser for a settlement of his claims for losses, &c. 706

November 1, Quebec. Clarke to Dundas (No. 6). Sends Minutes of Council on the Waste Lands of the Crown, from 9th June to 15th August. 636

Minutes 23rd July. The staff of the Surveyor General's office to be reduced, when the loyalists and reduced troops are settled. 637

Petitions received. 639

Minutes 15th August. Reports concerning the Surveyor General's office. 640

Report on the petition of Ephraim Jones and concerning spots styled commons. 646

Report recommending a deviation from the rules for fixing the site of towns in townships, in accordance with a report from the Land Board of Luneburg: "Whether a town at the junction of the Forks of the River Rideau, surrounded by four townships would not answer a good purpose." (Plan at p. 652). 649

Report of the claims of reduced officers in Luneburg and Mecklenburg. 651

List of those entitled to additional grants with names and number of acres received, with recommendations for the districts named. 656

Report on the petition of Mesdames Lanaudière and Verchères, that their prayer cannot be granted. 664

Report on Isaac W. Clarke's petition for 500 acres in the Chateauguay district. 666

Report that a lot for a tan yard may be granted to Robert Smith, at William Henry; and that the Church Wardens of the Lutheran Church may be permitted to build a church on the easterly half of a strip of land in the centre of the township of Williamsburg, and that the westerly half may be reserved for the first religious body who can build on it. 668

Applications for land at Quebec; and by sundry persons for lands in Luneburg, &c. (with diagram of land at Quebec, 675). 671

Concerning lands purchased, reserved or re-annexed by the Crown. 676

November 1, Quebec. Clarke to Dundas (No. 7). Sends state of the Council. 679

State of the Council for the Province of Quebec. 680

November 9, Quebec. Clarke to Dundas (No. 8). Sends Sir John Johnson's requisition for goods to complete the supplies for the upper posts, and visiting Indians for 1793. 681

Requisition. 682

November 15, London. Dorchester to Grenville. Sends letter from Beckwith. 616

Enclosed. Lieutenant Colonel Beckwith to Dorchester, dated Philadelphia, 5th October. Had received letter from Motz, with copy of Dorchester's speech to the Indians, which he had communicated to the Executive Government of the United States. Explanation of the cause of the attack on them of which the Wabash Indians complained, when they declare they were deliberating on terms of peace. The erroneous report that the troops embodied were on the march from the Ohio to attack Detroit; the expedition is against the Indians, and has been intended since the disaster of last fall, but it is stated there is no desire to drive the Indians to extremity, as the United States wish to make a just and solid peace. Sends report of incursion into the Western territory under Lieutenant Colonel Wilkinson. The distressing state of

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the French possessions in Hispanolia; applications made for pecuniary aid, which has been obtained to a considerable amount, as part payment of the debt to France, and expended for the support of the places blockaded and attacked by the negroes. A riot in the upper part of this county, respecting county officers, is not worth much notice. An organized opposition to the Excise Act is in progress in the counties of Pennsylvania, beyond the Alleghanies. The Executive Government is watching the movement, which will have a tendency to promote peace with the Indians, so as to check any excesses by arms. The President and Secretary of State absent. The Secretaries of the Treasury and at War are here and consider his (Dorchester's) speech to the Indians to mark a very friendly disposition towards the United States. Page 617

"Authentic report of Lieut. Colonel Commandant Wilkinson to His Excellency Gov. St. Clair, containing the particulars of the late expedition against Languille and the Indians on the Wabash." The report, dated Frankfort on Kentucky, 24th August, 1791, is signed by James Wilkinson and followed (p. 634) by a talk to the Indians. 622

November 17, Quebec. Report, with proceedings, evidence, &c., in the case of the complaint of Messrs. Taylor against Judges Fraser and Rouville and Mr. Reid, clerk of the Court of Common Pleas, Montreal. (From Q. 54–1, p. 1 to Q. 54–2, p. 615). 1 to 615

November 23, London. Gother Mann. "A short description of the military posts on the frontiers of Canada towards Lake Champlain, with some observations on the boundary line of the Province." 709

November 27, Onion River. Levi Allen. His exertions to reach Vermont before the meeting of the Legislature. A special meeting had decided to join the United States. How this had been managed, &c. 721

Canadian Miscellaneous—1764–1767.

Q. 55.

1764.

June 9, St. James'. Halifax to Murray. The King approves of his decision respecting the claims of Rigaud de Vaudreuil and Hoquart. To ascertain if their grants were ever registered. The information respecting paper money is defective; hopes it will be supplied and transmitted. Respecting the

1765. removal of Canadian families settled on Indian lands. Page 2

December 27, London. Power of Attorney to a committee of holders of paper money of Canada to urge that a demand be made on France for payment according to the treaty. 5

Memorial by the committee. 8

1766. Terms of the treaty and other papers on the subject. 11 to 17

September 26, London. Daniel Vialars to Shelburne. Stating a case respecting holders of paper money in Canada, for His Lordship's protection to Canadian subjects. 28

Protest against the French decision respecting paper money. 31

October 29, London. Daniel Vialars to Shelburne. Transmits memorial respecting paper money, with remarks on the proofs he has adduced in support of claims by himself and others. 33

List of claims (2) given in detail. 35, 36

Copy of decree and instructions (in French) regarding paper money. 37, 38

Protest by Vialars. 41

November —, Whitehall. Shelburne to Earl of Rochford. Reports the course taken by the Count de Guerchy respecting the paper money, so that he may be prepared to discuss the question with the French Ministry. 18

1766.
Memorandum (in French) from the French Ambassador respecting the rejection of claims for the payment of paper money. Page 21
November —, London. Petition of merchants trading to Canada and others, holders of paper money of Canada, to the House of Commons. 23
November 18, London. Vialars to Shelburne. Further respecting paper money. 44
Memorial. 46
List of holders. 49
Case, with opinion of Sir Fletcher Norton, Mr. Stow and Mr. Dunning. 50
November 18, London. Memorial of John Strettell respecting paper money. 85
State of rejected claims. 87
November 18, London. Henry Lennan to Shelburne. Memorial respecting his claim for payment of paper money. 91
November 18, London. Memorial of Isaac Painchaud, respecting his claim for paper money. 94
No date. Memorial of John Renaud on behalf of Christopher Babuty, proprietor of paper money. 79
Porlier Benac's answer to the observations made by the French Commissary in regard to his claim to be proprietor of certain paper money. 80
Memorial by John Renaud for Paschal Rustan, respecting paper money. 96
1767.
January 30, London. Additional memorial by Vialars on the subject of paper money. 68
List of claims. 71-72
March 3, London. Vialars to Shelburne. Sends documents to vindicate his character from the charges brought against him by the Count de Guerchy, in respect to claims for paper money. 73
April 7, London. Opinion of the Attorney General on a case respecting paper money submitted by Vialars. 75
April 14, Whitehall. Shelburne to Porter. Had received his letter, that the time for presenting proof of the property in paper money being British will be extended. The hardship of Porlier's and Painchaud's cases. Wishes that matters of difference would be settled between him and the French Commissary. 98
July 8. London. Memorial of the committee of merchants of Montreal appointed by the holders and proprietors of paper money of Canada. 77
December 9, London. Guinand and Allen to L. Macleane. That the French propose to make certain changes which will be injurious to holders of Canadian paper money. Asks for Shelburne's intervention. 100
December 11, London. Robert Allen to the same. Sends copy of the French edict of which he was apprehensive; asks for advice to the committee. 101
December 23, Whitehall. Macleane to Robert Allen, Chairman of the Committee. Sends copy of Shelburne's letter to Rochford, on the subject of the French King's edict of November last respecting paper money, represented to be prejudicial to the holders thereof. Every attention will be paid to their interests. 102
1768.
January 14, London. Henry Guinand, Deputy Chairman, to Macleane. Thanks of the committee for Shelburne's attention. Sends various documents and asks for copy of Rochford's letter to Shelburne to be laid before the committee. Vialars and Rybot are to prepare memorials in their separate cases. 103
Copy of letter (same date) from the committee to Rochford. 105
January 15, London. Memorial by Francis Rybot, respecting his claims for the payment of paper money. 111
A similar memorial from Anthony Vialars, dated the 14th. 114
January 22, London. Guinand to Macleane. Had received memorial from the proprietors of paper money in Quebec. No person presenting proper vouchers to the committee has been refused his proportionate share of the bonus. 117

Papers relating to a French Claim to the Bay de Puants.

(This title is at page 118, but the first of the succeeding papers relate to Phelipeaux Bay on the Labrador coast (119 to 128); the last document (p. 206) is a memorial from the attorney for the heirs Bissot, Joliet and Taché. The papers relating to the Bay de Puants begin at page 129, extending to page 205.)

1766. August 12, London. Durand to Shelburne (in French). Sends memorial in which two French gentlemen are interested, as proprietors of lands in the Bay of Phelipeaux, on the coast of Labrador, by a coucession from the King of France. Similar documents were sent to Lord Halifax by the Count de Guerchy, with a letter of recommendation, dated 30th January, 1764. Similar documents were also sent by Mr. Deon, the Duke of Bedford, &c., which will be found among the papers of the department. Sends his own recommendation in favour of three families whose ruin is certain should this concession not be confirmed. Page 119

Grant (in French), dated 20th February, 1759, reciting previous grants of the Phelipeaux Bay, with confirmation to certain families named therein. 121

1765. Memoire for the Sieurs Favry. 127

1765. January 26, Paris. Notarial deed (in French) by Pierre François Rigaud de Vaudreuil and Louise Therèse Fleury de la Gorgendier, his wife, transferring to William Grant, of Quebec, now in Paris, for the life only of the grantors, the posts of La Baye, in which are included the River Mauverli, on the coast of Michilimakinak, the Follesavoine, La Baye, the Puants, the Sakis, the Sioux in the upper part of the Mississippi, and all the rivers falling into the River Meloukili, Little Lake, along Michigan, Rock River, inhabited by the Puants and upon the River Mouiogonan and the Ottawas who inhabit the upper part of the Kikapoo River, with the exclusive right of trading with the Indians, of forming settlements and of clearing lands, together with all buildings, materials, &c., in the whole extent of the territory thus conveyed. The documents with translations into English. 129 to 157

1766. July 8, Quebec. William Grant to Thomas Mills. Offers him, as Receiver General, the yearly rent of the post of La Baye, purchased by him (Grant) from M. Rigaud de Vaudreuil. The obligations he has incurred to supply the Indians, &c.; has sent this year several canoe loads to La Baye to fulfil his engagements. Hopes that orders will be sent to the commandant at Michilimakinak to assist him. 158

August 24, Quebec. Mills to Grey Cooper, Treasury. In reference to Grant's purchase from Vaudreuil; he had offered 3,000 livres as rent due by the terms of the deed, but it was not accepted until the Lords of the Treasury had signified their commands. Has sent the documents relating to the sale and purchase. 160

The other papers, including letters from Gage, Sir William Johnson and others, extend to page 206. The report of the Lords of Trade gives an abstract of the claim, and recommends that it be not granted (p. 182 to 189). Further memorials were made in 1767, supported by Count de Guerchy and the Duke de Praslin, down to March, the last letter on the subject being from Shelburne to Vaudreuil (in French), dated 18th April, stating that although the reasons for rejecting the demand were clear and unanswerable, yet the King had desired him to be informed that as soon as the revenues of Canada are settled he should receive a reasonable mark of favour. 129 to 205

Papers relative to Mr. Walker.

These are: Deposition by Thomas Walker, dated 11th June, 1766. 208
Deposition of Magavock, of 11th July. 211

1766. Extract of letter from Walker to John Strettel, London 20th June, 1766. Page 216

Papers relative to the Claims of M. Hocquart.

Letter from de Guerchy, transmitting Hocquart's memorial to be laid before the King, dated 22nd May, 1767. 219

Memorial with accompanying documents by Hocquart respecting the concession of the Gros Mecatinat. 220 to 225

Papers delivered by Mr. Ellis, relative to his Deputy in his Offices in Quebec.

Ellis obtained the patent place of Secretary and Clerk of the Council and Clerk of Inrollments. George Allsopp was appointed his deputy in these offices.

1876. Memorial of Watkin Jenkins on his own behalf and on that of Allsopp. That Governor Murray had acknowledged the validity of the appointment, but declined to give it effect, &c., and praying that His Majesty's pleasure may be signified that he be admitted to office. 227

April 14, Quebec. Copy of letter of 14th April, 1766, from Governor Murray to the Lords of Trade, with reasons from the notorious character of Allsopp why he would not admit him to office. 232

Testimonial, of same date, from the English merchants of Quebec, and one of the 26th from the French, in favour of Allsopp. 234, 241

Address to Allsopp from French merchants in Quebec of 10th April. 244

Certificate by merchants of Bristol, dated 29th January, 1767. 245

The same from merchants of London of 20th January. 246

No date. Address (in French) to the King by the Hurons of Jeune Lorette, and the other domiciliated Indians whom they represent. Signed "Girault, Missionaire." 248

Dissertation on Canada.—Letters from Roubaud.

1766.

September 1, London. Roubaud to ——— (in French). Giving information he had been able to pick up about the movements of France and other political news. Apparently obtained chiefly from valets and domestics. 256

October 13, London. Roubaud to R. Sutton. Sends dissertation on the colonies and reflections on the islands of St. Pierre and Miquelon; the injury they have done to British trade and how that can be remedied. The information respecting France, Canada, &c., that he proposes to send. His necessities, for which he asks relief, &c. 261

Dissertation on Canada, referred to in preceding letter, but undated. 269

October 22, London. Roubaud to Sutton. Reports that the Chevalier d'Eon is about to publish a book against the late ministry; the political effects of the high cost of provisions, which is on the point of lessening to the benefit of the present ministry. Reference to the Wilkes question. Offers his services in relation to affairs in Canada in the same capacity as he had acted for Lord Halifax, all of whose memoranda (in French) he had prepared for Council. Asks for the place of secretary or tutor. Political movements in France, &c. 265

No date. Petition by Roubaud to the King, respecting his claims against the Jesuits. 253

CANADA.—PROMISCUOUS PAPERS—1762 to 1789.

Q. 56–1. Q. 56–2. Q. 56–3.

(Q. 56-1 contains 295 pages; Q. 56-2 begins at page 296; and Q. 56-3 at page 588.)

1762. June 5, Quebec. Report by Murray of the state of the Government of Quebec and dependencies. Page 2 to 87

1765. June 10, London. Report to the Treasury respecting the duties levied at Quebec. 117

September 2, Whitehall. Report to the Lords of Trade on papers relative to Ordinances and Constitutions made by the Governor of Quebec. 88 to 116

1766 to 1769. Considerations, by Baron Maseres, on the expediency of procuring an Act of Parliament for the settlement of the Province of Quebec, with other documents by the same. 123 to 351

1769. September 18, Quebec. Extract of Edicts, declarations, &c. (in French) in force in the Colony of Canada, now the Province of Quebec, prepared by F. J. Cugnet, and transmitted by Carleton in letter dated as in margin. 352

Copies of commissions, &c., follow: Commission to de Mezy Governor. 389

Creation of the Conseil Souverain in 1663. 393

Declaration of the French King which contains and regulates the establishment of the Superior Council, dated 5th June, 1675. 402

Commission to Duchesneau, Intendant 5th June, 1675. 407

The same to Ruette Dauteuil, Attorney General, 25th April, 1774. 414

The same to Chartier de Lotbinière, to be Judge of the Prevosté, 25th October, 1777. 419

Decree for augmenting the duties on wine, 26th June, 1747. 423

Edict imposing duties on the importation of goods into Canada and of goods exported therefrom, and decree (25th February, 1748), establishing the tariff on the same. 426

Report of the Superior Council on the Code Civil of April, 1667. 461

Edict for putting the Ordinances concerning the Code Civil into execution. 479

1771. Regulations on the importation of liquors, 2nd May, 1743. 486

July —. Colonel Goldthwait's talk with a Matauqwesauwack Indian, now among the Penobscots. 489

1774. Quebec Act. 500

1776. December 21, Connutasago. Message of Schuyler sent by four Indians, with the answer by the Indians. 517

December —. Speech by Brant to Lord George Germain. 520

1778. Exports from the Province of Quebec to the West Indies, the South of Europe and America, from 1768 to 1778. 523

1781. September 20, Kisapoe. Speeches by the Shawanese, Mingoes and Delawares, on the South side of Lake Erie, to McKee. That they have refused to attend a Council called by the Americans; they mean to defend themselves to the last man and ask the other Nations to be strong to help them. 582

1782. December 1, Quebec. General return of the vessels on the lakes and river, showing tons, guns, men, &c. 558

1783. August 3, Quebec. Return of officers and men in H. M. Provincial Naval Service, with their present stations. 562a-563

List of His Majesty's armed vessels on Lake Champlain, with armament, tonnage and number of men for 1783. 530

Same on Lake Ontario. 531

1783.
List of H. M. vessels, &c., on Lake Erie. Page 532
Same of Provincial vessels. 533
Number of men wanted to complete the vessels. 534
List of officers, with the dates of their commissions, &c. 535
Other lists and tables. 539 to 551
List of vessels purchased or taken into the service from the month of July, 1778. 552
Return of artificers able to keep the vessels in repair. 554
No date. Order of precedence among the naval officers according to their rank
1784. (probably 1783). 527
April 22, London. Powell to Nepean. Sends original paper found among the papers of N. Coffin, which may serve to assist the claim of his friend J. C. (John Coffin). 572
Account of damage sustained by John Coffin by the rebels coming into the Province of Canada in 1775, dated 20th October, 1776. 573
Claim laid before the Commissioners, dated 7th November, 1783, with certificate and memorandum of his services. 575
September 1, Detroit. Jehu Hay to Nepean. Gives an account of the delay to which he was subjected before being allowed to enter on his government. Complains that the superintendence of Indian affairs has been taken out of his hands, the Indian agents being authorised to dispose of all presents, &c., independent of him, and alleges that the present method of distribution of these is defective, and leaves openings for abuses. There are 12,000 Indians depending on this post, three times as many as in the lower parts of Canada, and producing more, yet they receive much less than the Six Nations. The expenses in time of peace could be greatly reduced, but the public statement of that would not add to his security. Represents that as Lieutenant Governor he has no allowance for extra expenses such as is given to the officer commanding the troops. The fees for *lods et ventes*, &c., formerly allowed to the Lieutenant Governor have now been ordered to be accounted for to the Receiver General; asks that they should be ordered to be allowed to him. Under the French Government the Lieutenant Governor had the farming of the posts as an emolument and the Spanish Governor has the same privilege. He does not ask for these, but only that he should be enabled to support himself. The commerce of this post is increasing; peltries sent this year amounted to £100,000 sterling, the produce of British manufactures. If the post is not given up to the Americans this will increase for reasons given. If the Americans continue their encroachments there will soon be a rupture between them and the Indians. Has heard of 30 families who wish to come from Fort Pitt to settle here, people who served and wish to live under the British Government. Has reported this to the Commander-in-Chief. There are also 100 loyal families who must leave this if lands are not granted them. 564
General view of all H.M. vessels and craft upon the Lakes and River St. Lawrence in 1784. 556
Return of the reduced pay for the officers of the Naval Department
1785. after the war. 557
May 17, London. Committee of merchants trading to Quebec to Lord Sydney, asking for an interview. 581
Proposed regulations for the Province of Quebec, with the following titles. Laws, Constitution and House of Assembly; Vermont; Newfoundland and the Corn trade; Fishery; Wine, fruit and olive oil; Bounties on oak timber, staves and other lumber, and on hemp. ending with a petition that vessels be built for trade with the Indians. 578
July 31, Carlisle. Message by G. R. Clark and Richard Butler to the Upper Chippawa and Ottawa Nations. That peace being concluded with Great Britain,

1785.

and with the Six Nations at Fort Stanwix and with other Indians (named) at Fort McIntosh, Congress desires to make a treaty of peace with them also, and has ordered a Council to be held at the month of the Great Miami on 1st of October, and desire that all prisoners, white or black, be brought there to be delivered up. Page 584

August 3, Carlisle. Message by G. R. Clark and Richard Butler to the Wyandots, similar to that of 31st July to the Chippawas and Ottawas. 586

September 20, Detroit. Meeting held by the Lake Indians—Hurons, Ottawas, Chippawas and Pottawatomies—at which were present messengers from the Nations on the South side of the lake, to deliberate on messages received by them to attend a treaty to be held on the 1st October. 588

November 8, Wakitumikie. Speech by Petesewa, Speaker of the Shawanese, to the American messengers. 596

1786.

January 24, London. Resolutions agreed to at general meeting of the merchants of London trading to the Province of Quebec, to be sent on a representation to the King's Ministers. (For the subjects dealt with, see memorandum of May 1785, page 578 of Q. 56-2). 598

January 31, Miami. Articles of a treaty concluded at the mouth of the Great Miami, on the North Western bank of the Ohio, between the Commissioners Plenipotentiary of the United States of America, and the Chiefs and Warriors of the Shawanese Nation. 592

February 18, Quebec. Petition (in French) praying for remission of the dues on *lods et ventes*. 823

Same in English. 827

The answer by Hope (24th February) staying prosecutions. 831

February 20, London. Memorandum by Carleton respecting the military arrangements in North America. 608

March 10, London. Rev. Charles Mongan to Nepean. Sends extract from a letter written to him by a gentleman in New York. 613

The letter, signed Aug. V. Horne, is dated 3rd January. It expresses great confidence in the intentions of the British Government from the appointment of Carleton to be Governor General of Canada. Those in New York, whose estates have not been confiscated, are so loaded with taxes and other grievances that there is nothing left but to sell out and move into the protection of the British Government. He would have done so at the peace but for the apprehension that Great Britain did not wish to be long burdened with Canada. The doubt on that head being now removed by the appointment of Carleton, he, with many others, would try to dispose of his property and sit down quietly in Canada. Reports, to prevent mischief, that Mr. Scott, a young Presbyterian preacher, a pupil of the notorious Dr. Rogers, had just returned from Montreal, to which he says he was led by curiosity, but to which he had no doubt been sent, and reports that he was so strongly invited to reside among them that he had promised to return and settle in Montreal in the Spring. A subscription was opened for his support, and to build a meeting house, and he intends to collect money in the States to establish a schism shop, laying the foundation for a future rebellion in Canada. Surely Great Britain has purchased a lesson at too dear a rate not to benefit by it, and ought not now to neglect religious affairs. 614

April 29. Message from the Shawanese, asking for advice, as they had signed a treaty with the Americans in ignorance of the actual situation of affairs. 633

April —. Proposed Act of Parliament for the better securing the liberties of His Majesty's subjects in the Province of Quebec. 618

May 14, Sandusky. R. McGillin to McKee. That Gilbee arrived from Pipe'stown reported that Pierre Drouillard and another Frenchman told the Indians there

1786.

not to be surprised to see the French and Americans on the march to take the posts. They were in three parties; the French to come by the Wabash, the Americans by Sandusky and Niagara. Congress had desired the Indians to take possession of the back posts. Page 637

May 15. Report brought by two Huron Chiefs from Sandusky that after the public Council at the Big Miami, the Americans took the Half King aside and warned him to allow no traders to enter or engage in trade in his country, except those who had leave or a license from the United States to trade there. 635

May 17, Miami. Extract of letter from Mr. Park. Had arrived from Post Vincennes; the disturbed state of the country. Indians threaten to kill the Americans; they had killled one before his (Park's) arrival and a party of Piankashaws attacked a bateau, killed the owner and wounded two men. Attack by Americans on a party of Indians, who had been at the fort trading. The Americans defeated and lost a captain and two men killed and nine or ten wounded, some of them since dead who cannot be buried. The Indians did not lose a man. The terror caused by this. Negotiations opened by the English and French traders with the Indians, who said they forgave the Americans, and gave a parole to be used by the traders, which was well received except by the Ouias. The traders are flying, being constantly pillaged. The Indians mostly gone to war. They make little difference between the English and Americans. He was told at the Ouias, and believes it, that a belt was secretly sent to lift the axe against the English. 638

June 18, Quebec. General return of H.M. Provincial officers at the conclusion of the late war. 555

September 19, St. Joseph's. Speech by Corn Stalk, that he would watch the road and prevent the Americans from coming to attack Michilimakinak. The march of an American army against the posts, in three detachments, as previously reported. 642

October 11, Upper Sandusky. Simon Girty to McKee. Arrival of an American army at the Shawanese towns. The Indians of the Maycockey town raised the "Yanky" colours, but to no purpose, as the army destroyed the town and proceeding to Wakitumikie destroyed it also; then destroyed his (McKee's) house and brought Blue Jacket's to the ground, afterwards retreating. Cannot tell how many Indians were killed. Where Elliott lived ten were found lying dead in the town, among them the chief of the town, an Indian named Shade and one named Messquangheanacke reported to have been burned; Mr. Coon's brother is also killed; they have taken the women and children prisoners. If Brant is alive, he has no doubt sent particulars. Will go to the Shawanese towns to ascertain the truth. Is informed an army has left the Muskingum to go against the Wyandots; another on the way to White River. Other rumours. 644

October 13 to 20, Detroit. Major Ancrum to ——— Respecting provisions for Michilimakinak. Report brought by a Huron chief that a body of mounted Americans had surprised one of the Shawanese towns, killed and taken many prisoners, dispersed the rest and destroyed the towns. The old chief had seen many men, women and children flying almost naked past the village. Sends copy of a letter from the rebel Colonel Butler to the Shawanese; the chiefs answered that they requested the suveyors not to be sent till they could deliberate, after which they would send a final answer. Does not believe therefore that the body of men against the Indian towns came from Fort Pitt or by authority of Congress, but that they came from the Falls of the Ohio and Kentucky. Letters received confirming this. Is anxious to know the destination of the armed force and will detain the vessel till he learns. 15th October. Sends copy of letter from Simon Girty to McKee (p. 644). 20th. Confirmation received of the Shaw-

1786.

anese towns being burned. Report received from the Indians by the messenger sent, substantially as in other letters (the number of Americans being, however, given as 1,800). Brant and the chiefs were out hunting. Reports of another army advancing from the Wabash and of movements against Sandusky, &c. Does not believe there is any intention to attack this post, but he will be on his guard and has people looking out. Page 647

November 27, Quebec. Dorchester to Sir John Johnson. Instructions as to the answer to be given to the Indians respecting their disputes with the Americans. To treat them kindly and send them away warmly clothed and bountifully supplied for their return. 656

November 28, Quebec. Minute respecting the cultivation of hemp. 659

December 18, Detroit. Speech of the United Indian Nations at the Confederated Council, held near the mouth of the Detroit River, between the 28th November and 18th December, to the Congress of the United States of America. Their disappointment in their expectations of the good results that would follow the peace. How negotiations should be conducted. The blame for the peace between the Indians and Americans not lasting, is due to the latter, who held councils wherever they chose, without regard to the Indians and made separate treaties instead of having a general conference with all the nations. They (the Indians) did everything possible at Fort Stanwix to follow this plan, as their intention was to secure peace. In spite of the mischief done, they are still sincere in this desire. Propose to have a treaty early in Spring, in the manner they point out. In the meantime they urge that the surveyors and others be prevented from coming on the Indian side of the Ohio, and it would not be their fault if the plan suggested were not carried into execution. 661

December 29, Quebec. Judgment of the Court of Appeal, reversing a judgment of the Common Pleas in the case of William and Robert Grant and Alex. Gray. 848

1787.

January 15, Quebec. Finlay to Nepean. Differences between Chief Justice Smith and the Judges of Common Pleas. (See Q. 28, p. 300). 667

February 13, Quebec. Same to the same. Delays in Council, &c. (See Q. 28, p. 302). 669

March 15, Quebec. Same to the same. Ordinances passed in Council, &c. (See Q. 28, p. 306). Remarks on the same. The dislike of the Canadian noblesse to trial by jury, and the disparaging remarks made by the judges on the same system. Why should their dislike deprive others of the privilege? The prejudices against English commercial laws, the results of misrepresentations on the subject. The merchants uneasy over the proposal to deprive them of trial by jury in commercial cases. 673

March —. Quebec. Draught of an ordinance for the better administration of justice, and to regulate the practice of the law in the Province of Quebec, with proceedings, petitions, &c. 679 to 719

April 30, Quebec. Ordinance to regulate the proceedings in the courts of civil judicature, &c. (in English 720; in French, 728). 720 to 736

Ordinance to empower the commissioners of the peace to regulate the police of the Towns of Quebec and Montreal (in English 737; in French, 738). 737, 738

Ordinance for establishing courts of criminal jurisdiction (in English 739; in French, 742). 739 to 744

1788.

Civil list for the Province of Quebec for 1787. 678

February 4, London Memorial of the merchants trading to Quebec, in support of petition from Quebec praying for a reform of the civil constitution. 745

1789.

January 9, Fort Harmar. Abstract of a treaty concluded at Fort Harmar between the United States and the Wyandot, Delaware, Ottawa, Chippewa, Pottawatomie and Six Nation Indians. 748

1789.
March 12, Quebec. Extracts from Minutes of Council respecting the legal and judicial powers of collecting the public moneys and the necessity for a Court of Exchequer. Page 752

May 14, London. Samuel Holland to Pitt. Sends memorial, recalls his services and trusts that in the latter part of his life he may not be deprived of any portion of his salary. 850

Memorial by Holland to the Treasury, on the subject of his salary. 852

May 30, London. Thomas Dalton, Captain, Creek Indians, to Sydney. That he had arrived with the talks of the Kings, chiefs and head warriors of the British Indians in North America, which he desired to present. Asks for an interview for that purpose. 857

Talks annexed. 859

June 1, Quebec. Memorial of the merchants of Montreal, in favour of the re-instatement of Monk, Attorney General. 864

June 4, Quebec. John Craigie to Nepean. Sends letter that Mrs. Hope intends to embark for London on the 10th of this month. Suggests that Hope's pension be continued to his widow. The good effects of Monk's removal lost owing to the death of Hope. 869

Jnue 8, London. Dalton to Grenville. Calls attention to the talks from the Indians in the possession of Nepean and asks for an interview. 871

June 12, Quebec. Merchants of Quebec to Adam Lymburner, their agent in London. They had received news of his interview with Pitt, respecting Canadian affairs. They presented memorial to Lord Dorchester on the removal of Mr. Monk, from the Attorney Generalship. Their reception and the statement that Monk had not been removed for acting as advocate for the merchants. An address on the King's recovery is proposed, and if carried, will be sent through Lord Dorchester. 872

June 25. Distance from Quebec to the Grand Portage. 876

The distances given are :—

Quebec to Montreal	180	miles
Montreal to Carleton Island	180	"
Thence to Niagara	150	"
From Niagara to the landing, thence to Fort Schlosser	36	"
Thence to Fort Erie, from Erie to Detroit, being the east and west extremity of Lake Erie, with about 20 miles of the Detroit river	240	"
Total from Quebec to Detroit	786	"
From Detroit to Michilimakinak	310	"
Thence to the Portage	450	"
In all	1,546	

December 26, London. Clapham to Nepean. For the payment of £50 to meet bills drawn by Mr. Tunstall, Quebec. 877

1790.
August 25, Quebec. Journal of a committee of the whole Council, to report on the opinions of the judges of the Common Pleas and the Attorney and Solicitor General, respecting the model of the Prerogative Court jurisdiction. 773

List of the records and extracts made part of the journal. 821

These are :

1. Commissions to the judges of the Common Pleas for the Prerogative Court business in 1777.
2. The commission, 5th July, 1778.
3. The commission of 11th November, 1779.
4. The letters of delegation under the Prerogative Court seal of 15th August, 1776, to Messrs. Livius, Owen and Taschereau for Montreal District.

1790.

5. The same to Messrs. Mabane, Dunn and Panet of same date.

6 7. Draughts of an ordinance, not passed, proposed in the Legislative Council in 1782.

8. Extracts from the Journals of the Legislative Council for 1782.

9. Commission to Mr. Daine of the Prevôté of Quebec, 25th March, 1744.

10. A similar commission to M. de Rouville, 1st April, 1745, for jurisdiction of Three Rivers.

11. A similar commission to Mons. Monrepau (Monrepos), 1st February, 1741, for Montreal jurisdiction.

12. Commission to the Intendant, M. Bigot.

13. The Intendant's ordinance, 7th July, 1718.

14. Royal declaration of the French King, 15th December, 1721.

15. The same, dated 1st of October, 1741.

16. The same, dated 1st February, 1743.

State of grants of land in Canada, particularly in ecclesiastical hands. Page 833

Title, estates and community of St. Sulpicians in Canada. 835

Jesuit estates. For information on these the report refers to the report on Amherst's claim, transmitted. 846

CANADA—PROMISCUOUS PAPERS—1790–1800.

Q. 57—1.

1790.

October 9, Quebec. October 14, Montreal. Memorial from the merchants and citizens of Quebec and Montreal. That the question of a form of government will not be laid before Parliament till next Session; their agent had applied for a copy of the proposed bill which was refused. Their sentiments are the same as those expressed in memorial of 1784, of which a copy is sent which they request may be transmitted to His Majesty's ministers. Page 12

In French. 15

October 14, Montreal. Merchants of Montreal, praying that it may be made a port of entry, without being subject to Quebec. 1

The same in French. 8

October 22, Quebec. Merchants, flour manufacturers, &c., for amendments to the law, to permit of export to the Newfoundland fisheries, the Province of Nova Scotia and New Brunswick, and to the West Indian Islands. 4

The same in French. 9

1791.

March and April. Recommendations (of various dates) to appoint Robert Townson to the office of naturalist in Canada, which it is proposed to establish. 29 to 35

April 5, London. Lymburner to Grenville. That owing to the importance of the Quebec bill, he is anxious that it should receive further consideration before the report of the committee is received or a debate arises. If the report is deferred to-night, he will wait on His Lordship with certain papers. 51

May 13, Edinburgh. Robert Townson to Nepean. Calling attention to his application for the office of naturalist in Canada, and asking if any decision has been come to. 36

June 16, London. Notes from Lymburner on the boundary of the Provinces of Upper and Lower Canada. 39

Notes on various subjects connected with the Act of 1791. 40 to 50

July 1, London. Lymburner to Dundas. Sends statements of exports from Quebec for 1787 and 1788, to show the articles usually sent to reimburse the merchants of London for the goods sent to Quebec. 53

Returns of exports for 1787. 57

The same for 1788. 59

1791.
July 1, London. Division of the two provinces proposed by Lymburner, with the reasons for the proposal. Page 54
Memoranda by Lymburner on different points, namely: Trade with Vermont and the construction of a canal. 61
Armed vessel for the protection of the fisheries. 63
The constitution of a Court of Appeal. 64
Encouragement of trade between the border states and Canada. 68
July 15, London. Lymburner to Nepean. Sends extracts of papers from Canada in favour of Monk, as Attorney General. 71
The extracts dated in 1789 from Canada. 73 to 78
August 9, London. Case of James Monk, late Attorney General for Quebec. 82
August 10, London. Lymburner to Nepean. That owing to the early sailing of the last ships for Canada, it is necessary he should see Mr. Dundas before writing to the committee. All that he has advocated as agent for the Province has been for the advantage of Britain and the colony, although his representations had not been atttended to. 79
August 11, Whitehall. Nepean to Lymburner. That Dundas does not know what passed between him (Lymburner) and others of His Majesty's servants, but he (Dundas) had paid every attention to his representations. Cannot see him until the subject is considered by the ministry. 81
August 19, London. Lymburner to Dundas. Sends in writing the material points stated yesterday. Had no desire to embarrass the Government in the objections he had made to parts of the bill. Nothing will contribute more to please the people of Canada and secure the interests of Great Britain than a reunion of the country under one Government. 99
Memoranda referred to in letter. 101–104
August 27, London. Lymburner to Dundas. Sends observations on the Magdalen Islands and others, on the general affairs of the province. 106
Observations on the Magdalen Islands. 107
Remarks on clauses of the proposed Act, with objections, expressing his doubts of the power granted by the new Act to divide the province. 112
Extract from letter of the committee at Quebec, pointing out defects in the bill. 115
August 28, London. Remarks by Lord Hawkesbury on the instructions to Dorchester. 116
August 29, Whitehall. Establishment of a corps of infantry to be raised and sent to Upper Canada. 117
August —. Account of extraordinary expenses paid by the Deputy Paymaster General, between 14th June and 23rd October 1790. 119
Expenses of the civil and military departments of Canada for the year 1790, so far as known to the Treasury. 127
Account of warrants for extraordinary expenses granted by Dorchester, between 25th October, 1790, and 31st May, 1791. 128
List of the officers of the Customs of Canada (the offices but not the names given). 138
September 2, London. Lymburner to Nepean. Has Dundas looked over the papers, and what was resolved on? When does the frigate sail? The merchants wish to know if a mail is to be sent by her. 139
September 8, Montreal. Memorial (in French) by Hertel de Rouville. States his services; the suit against him by a young advocate, the papers in which have been sent to the Ministry. Prays that before his death he may have the consolation of learning that he has been justified in the eyes of his Sovereign. 140
Observations (in French) by Rouville, on the proceedings in the complaint bronght against him by Foucher. 143

1791.

The report (in English) of the Council on the complaint by Foucher against de Rouville, with proceedings. Page 146

October 7, Hampstead. J. L. Bouthillier to Dundas. For employment as a schoolmaster at Quebec. 173

November 18, Quebec. Proclamation, by Clarke, for giving effect to the Act for dividing the Province of Quebec (in English 186; in French, 190). 186 to 193

November 19, Whitehall. Grenville to Dundas. Sends letter from Peters. 175

Same date (Pimlico) Samuel Peters to Grenville. Had received letter from Levi Allen, who had reached Boston from Halifax and owing to his funds being exhausted had drawn on Dr. A. A. Peters for £100 sterling. Has other letters from America, which state that emigration and discontent prevail. His friends wish to know by January whether or not he is to go out Bishop of Canada, as February and March are the months for moving on the snow. 176

November 24, Niagara. Extract from letter, no signature nor address given. Details of the battle between the Indians and Americans, on the 3rd of November instant, near Miamis Town, in which the Americans were defeated with severe loss; death of Butler, the second in command. The account describes the action, the course of the fight; the repulse of two attacks by the Indians; their successful return, the defence and repulse of the Americans, &c., of whom, besides the commanding officer, the Adjutant General and Surveyor General, 1,200 are reported to have been killed, but this is probably an exaggerated statement. Has not heard of one prisoner. About 50 of the Indians are said to be killed and wounded. The American force consisted of 1,500 regulars and 800 militia, 2,300 in all; the Indians numbered nearly 2,000. Two forts, with 100 men each, and but little provision, are surrounded by the Indians. The report may be depended on, as Simon Girty, if not in the action was in view of it. He had joined McGee (McKee) at the foot of the Rapids and brought the American orderly books and all their papers. Butler's scalp has, it is said, been sent to Brant, with a severe sarcasm for his not being there. Humanity shudders at the number who have fallen, but as they were clearly the aggressors they are less to be pitied; the cruelties that must fall on the defenceless frontiers of the Western settlements are infinitely more dreadful and call for every possible preventive. Has written to urge the traders to inspire the Indians with moderation. The Americans will have difficulty in raising another army for this service; they will probably listen to terms of peace, which may be obtained by the influence of the British Government and traders. The terms the Indians seek for boundaries; wishes the peace-makers of '83 had known a little more of the country. 178

November 25. Papers relating to the proposed engagement of Reichel to superintend the cultivation of hemp in Canada. 182-184

December 26, Quebec. Order continuing the judges and officers in their positions and employment after the Act of 1791 takes effect. (English, 198; French, 199.) 198 to 200

Notes on the removal of Monk from the office of Attorney General. 19

No date. Observations on the Act by which it is proposed to divide the Province into Upper and Lower Canada, pointing out the insufficiency of the clauses for that purpose, with a proposed preamble (p. 26) and extract from the Proclamation of 1763 (p. 27). 22

1792.

January 4, Pimlico. Samuel Peters to Dundas. Sends extract of letter from Lewis Alden (assumed name of Levi Allen) to Peters. 194

The letter, dated Alburgh, Vermont, 27th November, 1791, reports the cause of the failure of his mission, the union of Vermont with the other States having been completed some months before he left London. What troubles him most is, that he was so near success. Had he got up

1792.

the St. Lawrence last year with his goods, Vermont would not have joined the Union. Ethan Allen was dead and Ira silent on account of the lands at Alburgh claimed by Caldwell. Other motives; the people at large see they have done wrong, but it is now too late. By-and-bye they will see as clearly as St. Paul did when the scales fell from his eyes. Page 194

January 9, Inverkeithing. Robert Townson to Mr. Day, London. Sends his address in case he should be employed as naturalist in Canada, as he is leaving for Stockholm, &c. 38

March 2, London. Colonel Johnston to Barnard. For information respecting the arrangements for settlers to Upper Canada, for a friend in Austrian Flanders, who may bring others with him. 201

April 30, Quebec. Caldwell to Grenville. For a mandamus to obtain the lands near Lake Champlain as a recompense for those he had lost to the South of line 45°. Sends petition he had formerly transmitted. 203

The petition dated 8th December, 1788. 204

June 5, London. Paper on the culture of hemp, sent from Russia by Whitcomb. 197

November 5, Niagara. Peter Russell to Nepean. Congratulates him on his safe return. Asks him to assist in removing the uncertainty of his appointment as Receiver General, as, although he is recognized as such by Simcoe, he is liable to be superseded at any moment. Urges the issue of his patent to avoid loss, &c., he has provided for securities and for the payment of the necessary fees. 206

December 2, London. Sir Henry Clinton to Pitt. Respecting the claims of Arnold. The importance of the information he furnished in 1780 regarding the arrival of the French fleet and army in July of that year; had Admiral Arbuthnot placed the same reliance on it as he did, the French army would have been met and defeated on landing at Rhode Island. The want of success does not lessen Arnold's claim. Encloses letter from him on the subject. The £6,000 paid to Arnold was not in full compensation for his services, but he (Clinton) did not doubt that his (Arnold's) zeal and services would be rewarded at the proper time. 208

1793.

March 12, London. Sir John Johnson to Dundas. That on his arrival on leave of absence he had called and left letters from Clarke, but did not think himself justified in calling at a season of much public attention. In consequence of the war with France, he now, however, offers his services in a military line. Suggests that his late regiment be re-established on the same terms as other levies, and that he should be appointed colonel, the other officers to obtain permanent rank. Reasons why his request should be granted. Asks for an interview. 210

March 29, London. The same to King, with extract of letter promised the previous day. 258

The extract from Shelburne to Sir William Johnson, dated Whitehall, 11th December, 1760, on the subject of his office of superintendent of Indian affairs being under the orders only of the Commander-in-chief of Canada. 259

July 31. Suggestions respecting the Province of Upper Canada, submitted by Captain Stevenson to Dundas by desire of Simcoe. Field train of artillery necessary; artificers' company wanted; respecting the positions of McGill, Commissary, and of Brigade Major Littlehales and Mr. Small; Lieutenant Smith appointed Surveyor General; respecting a supply of clergy; the French emigrants would be useful at Detroit; what is to be the position of French settlers there? The loyalists sent from England not entitled to indulgences; a port wanted for Upper Canada; Upper Canada will not answer expectations if dependent on

1793.
Lower Canada; other short notes on various subjects relating to Upper Canada. Page 240
No date. Further observations, political, commercial and military, on the consequence of Upper Canada and the navigation of the Mississippi, &c. 250
Papers relating to the case of Judge de Rouville. 213
Considerations upon the government of Lower Canada to be settled under the late Act of Parliament (1791). 261
The considerations refer:
1. To the constitution of the House of Assembly. 261
2. Revenue. 265
3. Quints, lods et ventes and posts. 266
4. Expenditure of public money and support of civil government. 267
5. Courts of justice. 269

CANADA—PROMISCUOUS PAPERS—1790—1800.

Q. 57-2.

No date. Continuation of considerations on the Government of Lower Canada:
6. Charters. Page 275
7. Religious Communities. 277
8. Clause of a Bill for altering the Courts of Justice in Lower Canada. 280
9. Quit rents. 285
10. The oil or whale fishery 287
1792. 11. Emigration. 288
October 29, London. A general view of the situation and importance of the several military posts in Upper Canada; with a brief description of the great lakes and their communication; together with some remarks on the frontier and boundary line of the Province addressed by Gother Mann to Dorchester. 290
1793. September 17. Remarks (apparently by Grenville) on the manner of laying out the Crown and Clergy Reserves. 361
1794. April 11. Bishop of Leon to ———, for a passport to a son of M. de la Marre going to Quebec. Three ecclesiastics going to Quebec, M. de Lavan, M. de le Vadoux and M. Didier, whom he can recommend. 433
July 8, Quebec. Extract of a letter, the name of neither the writer nor recipient of which is given. Peace still continues, but owing to the hostile dispositions of the Americans its continuation is doubtful. The Executive manifests no wish to depart from neutrality, but it is very doubtful, indeed, if so feeble a government can resist the passions of the people. It is reported that privateers have brought in British prizes to Charleston. If true, such acts must bring on a rupture. From Dorchester's talk with the Indians and Simcoe building a fort at the Falls of the Miami, it seems as if a rupture were considered to be inevitable, The Americans seem to have plenty on their hands with the Indians, as late advices say they are in a general confederacy and that Wayne's army is in a bad situation. Sends extracts. The pains taken to delude the people of this Province have had their effect, so much so, as to cause an active exertion of Government to apprehend and imprison persons charged with seditious practices, and the alarm is so general as to cause a respectable association to come forward with a declared resolution to bring to justice all disaffected persons and to support and defend Government. 366
August 10, Nimegnes. Count de Mertois St. Ouen (in French). That he had done all in his power to rescue France, had sacrificed everything and now solicits a passage to Canada, where he desires to settle. 372

1794.
October 2, Quebec. Table of fees proposed by the Land Committee to be established in the land granting department of Lower Canada. Page 368
December 8, London. J. Fort Smyth to Portland. That his information about the proper boundaries arises from his earnest desire to preserve Canada to Britain, a country which is of greater value and importance than any person at present sees. Offers his services. 370
1795.
June 12, London. Brickwood to King. Sends remarks from a friend on the situation of Canada and its commercial abilities and resources. 375
Remarks on the access to Upper Canada by way of Quebec and New York, the efforts made by the Americans to improve internal communication. The superior natural advantages of Canada in this respect. The State of New York has built canals by the sale of land; urges that the same system should be followed in Canada; by improvements thus effected the trade would be secured. This is the only time to do this before the resources derived from the lands are exhausted. 376
1796.
February 29, Pimlico. Rev. Samuel Peters to King. Sends memorial from Upper Canada. The fees, &c., are settled by Royal Commission, and cannot be abrogated by the Provincial authority. The system that prevailed in Georgia under British rule for the granting of lands, which proves the statements of Mr. White, Attorney General, to be unfounded. Presumes that the fees for the Secretary of Upper Canada must remain till altered by His Majesty and he cannot say how the Legislative and Executive Councils attempted to alter them. Should the Councils have this power, it will cause much ill-blood. Asks an early attention to this unhappy contest about fees and power amongst His Majesty's civil officers. The impediments that would be caused by the Attorney General's plan. 434
Memorials and other documents by William Jarvis, Secretary, respecting the appointment of assistants and division of fees. 437 to 454
April 13, Pimlico. Rev. Samuel Peters to King. Asks if the Duke of Portland has yet ordered an answer to the memorial of Mr. Jarvis, Secretary. 455
April 16, Pimlico. The same to the same. Thanks for the order respecting stationery to the Secretary for Upper Canada. What resolution has been arrived at respecting his fees? 456
1797.
Application for stationery by Jarvis, referred to. 457
April 3, London. Wm. Dummer Powell to King. Sends memorial for an allowance of half of the Chief Justice's salary, whilst Powell did the whole duty; asks that it be submitted to the Duke of Portland. 458
Memorial. 459
April 17, London. Memorial of Captain Patrick Sinclair, that his salary as Governor of Michilimakinak be transferred to the establishment in Britain. 462
Sinclair's commission. 463
April 24, London. Wm. Dummer Powell to King. Urges that a speedy decision be given on his application. The distress caused by the uncertainty. 461
June 1. Bishop of Leon to the same. That Lord Dorchester be asked to receive the following priests of the Congregation of the Seminary: Jean Gaspard de St. Felix; Antoine Jacques Boudet; Pierre Bonyer; ——— Chicoisneau and ——— Delavan. 465
November 20, Lybster. Patrick Sinclair to the same. Acknowledging receipt of answer to his memorial. 466
1799.
January 20, York. Robert J. D. Gray to Simcoe. Thanks for his kindness; his circumstances prevent him from spending some time in England as advised. Has heard nothing yet of his mother's pension. 467
March 9. Observations (in French) dated 29th November, 1798, on the election of a French priest as Superior of the Seminary of Montreal. 483
Note by J. Gale, that as the person appointed to the office not being either really or constructively a natural-born subject, his election cannot

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in the meantime be approved of, but will be more fully considered by His Excellency. Page 486
June 24, Kensington Palace. Major G. S. Smythe to King, with letter from Conolly, Deputy Superintendent of Indian Affairs, to be taken into consideration. 469
The letter calls attention to a survey which is contemplated on the Mississippi to extend northward to the Falls of St. Anthony. 470
October 15, Wolford Lodge. Simcoe to King. Sends letters from Brant and from Elliott, late Superintendent of Indian Affairs. Asks what answer he shall make. Sends also letter from Gray; the faith of the Duke of Portland was pledged for the pension to Mrs. Gray. 472
Letter from Brant (enclosed) is dated 22nd January, stating Elliot's dismissal without an investigation, and his desire for a public trial. 474
1800. Elliot's letter of same date respecting his dismissal, &c. 477
June 19, London. Arnold to King. Sends copy of his memorial to Russell for lands in Upper Canada, and of letter from the Duke of Portland to Russell, ordering a grant on the usual conditions, except that residence is dispensed with. Points out the change made in respect to fees by the new regulations; the little value of the land; his expenditure in raising a regiment being more than he had ever received from Government, and asking that the mistake in reference to the fees be rectified. 491
Memorial enclosed. 494
Resolution of the Legislative Council for grant to Arnold. 496
June 24, London. Arnold to King. Recapitulates the promises made to him of land in Upper Canada, previous to the new regulations. He considers the lands promised him in 1797, as a fair and clear purchase by his services. The only favour granted him was to dispense with his presence in Canada, owing to his services in Guadaloup. The lands were not subject to the new regulations sent out in 1798, after they had been granted to him. 488
July 18, London. The same to the same. That he had written to his sons, that he (King) is sensible of the mistake made and has promised immediately to transmit an order to the Governor and Council of Upper Canada to have the grant made out according to the rules in force before 1798. 490
November 28. Introduction to a memorial from old Colonial subjects, in Lower Canada, who had entered on lands on the faith of promises that these lands should be given them. The alarm that grants are to be made to new applicants. Prayer for the grants being made, not subject to any fees but those that would have been payable had the grants issued immediately. 497
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2. The establishment of a free course of justice in the same. 324
3. The establishment of a proper mode of trial for murder, &c., committed in parts of the interior country, which by the interpretation of the limits may be found extra provincial. 326
4. A more perfect organization of the Courts of Justice in Lower and Upper Canada. 328
5. The establishment of a respectable militia. 329
6. The establishment of a Provincial Naval Department. 332
7. The defence of the King's Provinces in general. 333
8. The tenures of land in respect to mines and minerals, quit rents, mutation fines, and the conversion of feudal tenures into free and common soccage. 337
9. The establishment of a university and schools. 338
10. A decision on the estates of the Jesuits in Canada. 339

No date. 11. A decision on the estates and claims of the Seminary of St. Sulpice in Canada. Page 340

12. A decision on the application for a separate custom house at Montreal. 342

13. A decision on the application of the inhabitants of Montreal respecting the town walls. 343

14. The culture of hemp. 344

15. An alteration of the new Act in respect to the disqualification of those Canadians who, though absent at the cession, have been residents of the Province for more than seven years. 345

16. Calls attention to the change in Upper Canada for the toll of millers from one-fourteenth to one-twelfth. 346

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Observations by Isaac Todd and Simon McTavish on the North-West and other Indian Trade. 382

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Note by Mr. Hammond to King, relating to the boundaries. 388

Memoire (in French) unsigned, stating the promises of de Puisaye to the writer, which were not fulfilled and charging him with improper conduct. The tone of the letter is seen in the conclusion. The British Ambassador to the United States, it is said in it, heard so much respecting de Puisaye whilst in Upper Canada, that he sent to Quebec to obtain further information respecting his intrigues, "But General Hunter knew more about them than he did and answered 'I know the rascal.' Facts fitted to call for the vigilance of an ambassador and to cause the utterance of such an epithet from a General in command must certainly be very serious." 389

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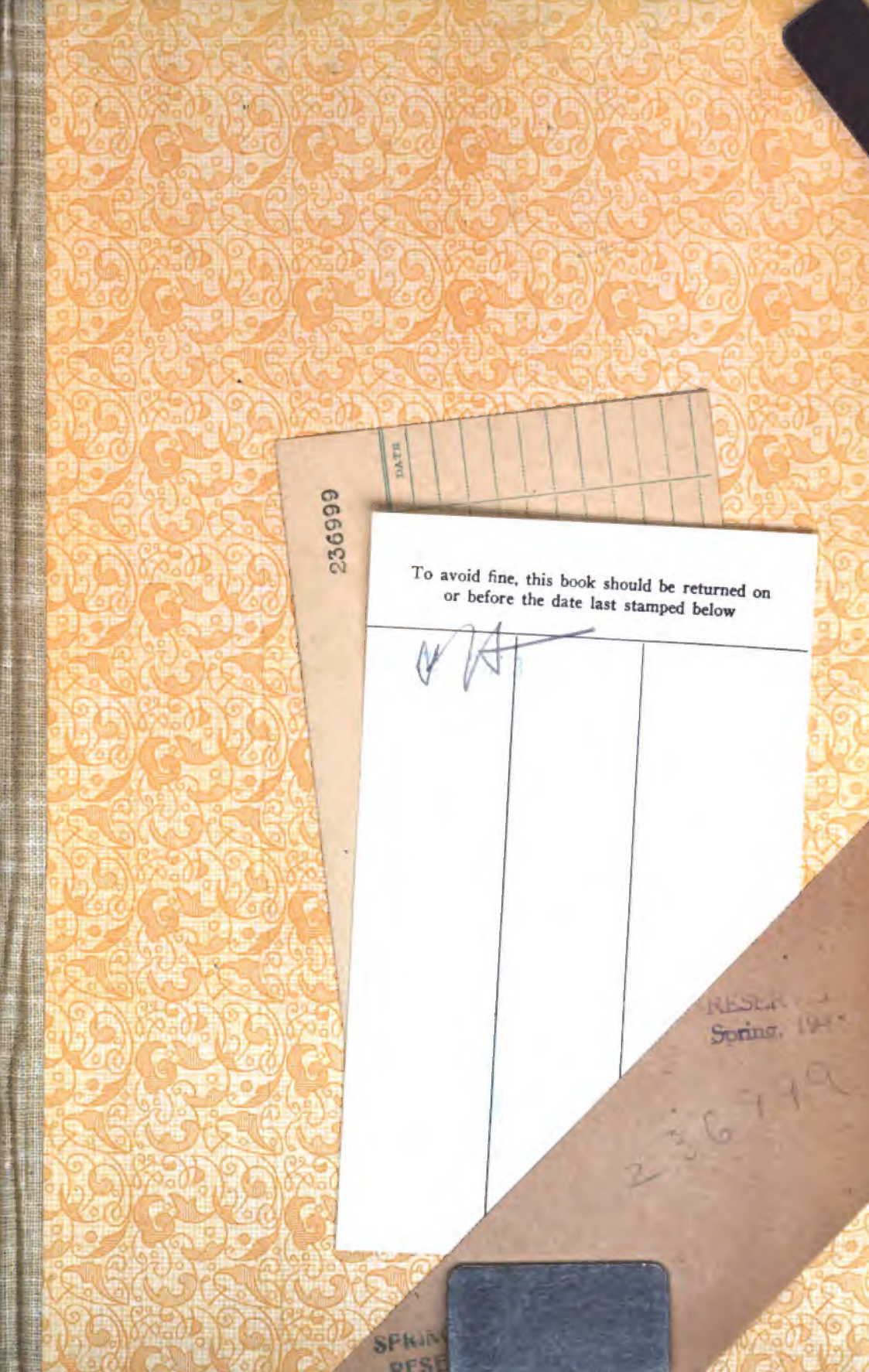
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